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the Various Courts — Court Reporters.
Certified Public Accountants
Federal, State, City and County
Offices and Officials

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¶ We hope that you can, and do appreciate the tremendous task involved in the preparation of this book — especially that portion listing the attorneys and law firms. It is quite possible that there will be some errors or omissions in that list. If so, it is only because we were unable to secure proper information to make it correct in every instance.

¶ To those whose listing is in any manner incorrect or does not appear in this book, we ask that they notify this office of the error or omission and furnish the necessary data for us to rectify the same in the next issue of the Directory.

¶ We keep a reference file for the proper listing of attorneys and law firms, and we urge you to keep this office informed at all times of any change in the personnel, address or phone number of your office. If you will give us that simple co-operation, we can and will give you a complete and accurate attorney's list.

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SYLLABUS OF THE NATURALIZATION LAWS

By O. T. MOORE
District Director of Naturalization
425 Lafayette Building

General Requirements

1. An alien must be a white person, or of African nativity or descent.

2. He must have been lawfully admitted to the United States for permanent residence.

3. He must file his application for citizenship in the Court having jurisdiction over his place of residence.

Declaration of Intention

1. The alien must have passed his eighteenth birthday.

2. He should secure a preliminary application (Form A-2213), by writing, or applying in person, to the District Director of Naturalization, 425 Lafayette Building, Detroit.

When this form has been properly filled out, it should be filed with that officer, accompanied by two photographs and a postal money order in the amount of $5.00 payable to the Commissioner of Naturalization, Washington, D. C., as described on the back of the form.

3. When the legal entry into the United States has been verified, the alien will be notified to appear before the Clerk of the Court to make his Declaration of Intention.

The Clerk's fee for the filing of his declaration is an additional $5.00.

4. No witnesses are required in the making of a Declaration of Intention.

Petition for Naturalization

1. The alien must have continuous residence in the United States for at least five years, and in the County in which his petition is filed, for at least six months, immediately prior to the date of the filing of his petition.

2. He must have a Declaration of Intention not less than two, nor more than seven years old.

3. He should secure from the District Director of Naturalization, 425 Lafayette Building, Detroit, preliminary application (Form A-2214). After this form has been executed, it should be forwarded to that officer, with the Declaration of Intention, two photographs, a postal money order, payable to the Commissioner of Naturalization, Washington, D. C., in the amount of $5.00, as described on the back of the form unless his declaration of intention was made after July 1, 1929.

4. He must be able to speak the English language, and pass a satisfactory examination as to his knowledge of the constitution and form of government of the United States. If he is unable to speak and read English, he should immediately get in touch with the evening school nearest his place of residence.

5. He will be notified when to appear with his witnesses to file his petition for naturalization, and for the hearing thereon.

6. He must have at least two witnesses, citizens of the United States, who have knowledge of his continuous residence in each place he has lived in the County in which he resides. Witnesses must be produced to cover all residence within the County.

7. Ninety days must elapse after the appearance with witnesses and the filing of the petition, before the final hearing, at which time the petitioner takes the final oath of allegiance and is issued his certificate of citizenship.

8. If the applicant did not enter the United States legally, and arrived prior to June 3, 1921, he should consult the District Director of Naturalization for appropriate advice.

Lost or Destroyed Naturalization Papers

1. If a Declaration of Intention or Certificate of Naturalization has been lost or destroyed, application for a copy thereof should be made at the office of District Director of Naturalization, 425 Lafayette Building, Detroit.

2. The application (Form 2600) must be accompanied by two photographs as described on the back of the form and by a postal money order in the amount of $10.00, payable to the Commissioner of Naturalization, Washington, D. C.

3. When authority has been granted for the issuance of such lost or destroyed paper, appropriate advice will be given to applicant.

4. A Clerk of Court no longer has authority to issue a copy of a Declaration of Intention or a Certificate of Naturalization.

Certificate of Derivative Citizenship

1. A person who is a citizen through the naturalization of a parent or husband may now secure a certificate of derivative citizenship, in his own name.

2. Application therefor should be made on the appropriate form (2400) which may be secured in the office of the District Director of Naturalization. This application form must be accompanied by two photographs of the applicant, as described thereon and by postal money order, in the sum of $15.00, payable to the Commissioner of Naturalization, Washington, D. C.

Miscellaneous

1. All naturalization application forms referred to in the foregoing may be secured at the office of the District Director of Naturalization, 425 Lafayette Building, Detroit; at any evening school in Detroit, Highland Park or Hamtramck; the Americanization Committee, 51 West Warren Avenue, Detroit; the Citizenship Bureau, City Hall, Highland Park.

2. At any of the above places, free information will be furnished, regarding the filing of citizenship papers. Many applicants for citizenship pay large fees unnecessarily for services which can be performed more satisfactorily at any of the above addresses.

3. There are special provisions of the Naturalization Laws for men who have served in the United States Army, Navy, Marine Corps, Coast Guard, on United States Government vessels and in the United States Merchant Marine. Inquiry regarding such services should be made at the office of the District Director of Naturalization.

4. A native born woman, married to an alien, before September 22, 1922, and whose husband was not a citizen on that date lost her citizenship. Whatever the citizenship status of the husband was on September 22, 1922, determines the status of his wife on that date. Marriage after September 22, 1922, does not change a woman's citizenship status.

5. The naturalization of the father confers citizenship on minor children residing in the United States.

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U. S. Mortgage & Bond Bldg., 607 Shelby.
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Washington Boulevard Bldg., 234 State.
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FIRST EDITION
OCTOBER, 1933

This Directory contains the names of 2,758 Attorneys exclusive of 194 Law Firms and Partnerships.

An Attorneys' Register is kept for the purpose of maintaining a correct list of Detroit and Wayne County Attorneys and Law Firms, and we earnestly request that you keep this office informed of any changes in the personnel, address or phone numbers of your office. This will ensure your being correctly listed in subsequent issues of the Detroit Law Directory and Reference Book.

◆

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JUDICIAL SALES

The following list gives the Counties in Michigan, together with County Seats, where Chancery, Mortgage and Sheriff's Sales are held. The particular entrance to Court Houses where sales are held is given in instances where such information is customary.

ALCONA—Harrisville — East Door, Court House.

ALGER—Munising—Alger County Court House.

ALLEGAN—Allegan—East Front Door, Court House.

ALPENA—Alpena—Front Door, City Hall, on First St.

ANTRIM—Bellaire—North Entrance, Court House.

ARENAC—Standish—West Front Door, Court House.

BARAGA—L'Anse—Front Door, Baraga County Court House.

BARRY—Hastings—North Door, Barry County Court House.

BAY—Bay City—Front Door, Temporary Court House, 401 Salzburg Ave. New County Bldg., Center and Madison Sts. ready about January 1, 1934.

BENZIE—Beulah—Front Door, Benzie County Court House.

BERRIEN—St. Joseph—South Door, Court House.

BRANCH—Coldwater—West Front Door, Court House.

CALHOUN—Marshall — North Front Door, Court House. Battle Creek—South Front Door, City Hall.

CASS—Cassopolis—Front Door, Cass County Court House.

CHARLEVOIX—Charlevoix — Usually Northeast Entrance, Court House.

CHEBOYGAN — Cheboygan — Cheboygan County Court House.

CHIPPEWA—Sault Ste. Marie—North Door, Court House.

CLARE—Harrison—Clare County Court House.

CLINTON—St. Johns—West Front Door, Court House.

CRAWFORD—Grayling—Front Door, Court House (Land only).

DELTA—Escanaba—Front Door, Delta County Court House.

DICKINSON—Iron Mountain—Front Door, Dickinson County Court House.

EATON—Charlotte—South Entrance, Court House.

EMMET—Petoskey—Front Door, Emmet County Court House.

GENESEE—Flint—Front Entrance, Court House.

GLADWIN—Gladwin — Front Door, Court House.

GOGEBIC—Bessemer — Front Door, Court House.

GR. TRAVERSE—Traverse City—North Front Door, Court House.

GRATIOT—Ithaca—Front Door, Court House.

HILLSDALE—Hillsdale—Front Steps, Court House.

HOUGHTON—Houghton—Front Door (North Entrance), Court House.

HURON—Bad Axe—Huron County Court House.

INGHAM—Lansing—North Door, City Hall. Mason—West Door, Court House.

IONIA—Ionia—South Front Door, Court House.

IOSCO—Tawas City—Iosco County Court House.

IRON—Crystal Falls—Iron County Court House.

ISABELLA—Mt. Pleasant—West Front Door, Court House.

JACKSON—Jackson—Main Entrance, Mich. Ave., Court House.

KALAMAZOO—Kalamazoo—North Door, Court House, cor. Mich. Ave. and Rose St.

KALKASKA—Kalkaska—Kalkaska County Court House.

KENT—Grand Rapids — Main Entrance "Steps," Court House.

KEWEENAW—Eagle River—Keweenaw County Court House.

LAKE—Baldwin—Front Door, Lake County Court House.

LAPEER—Lapeer—Front of Lapeer County Court House.

LEELANAU—Leland — North Front Door, Court House.

LENAWEE—Adrian—East Front Steps, Court House.

LIVINGSTON—Howell—West Door, Court House.

LUCE—Newberry—North, Outer Front Door, Court House.

MACKINAC—St. Ignace—East Front Door, Court House.

MACOMB—Mt. Clemens—Westerly, or Gratiot Ave. Entrance, Macomb County Bldg.

MANISTEE—Manistee—North Entrance, Court House.

MARQUETTE—Marquette—Front Door, Marquette County Court House.

MASON—Ludington — North Door, Court House.

MECOSTA—Big Rapids—Front Door Mecosta County Court House.

MENOMINEE—Menominee—North Front Door, Court House.

MIDLAND—Midland—Main Entrance, Court House.

MISSAUKEE—Lake City—South Outer Door, Court House.

MONROE—Monroe—Front Door, Monroe County Court House.

MONTCALM—Stanton—North Front Door, Court House.

MONTMORENCY—Atlanta—Front Door, Court House.

MUSKEGON—Muskegon—West Front Door, Court House.

NEWAYGO—White Cloud—Front Door, Court House.

OAKLAND—Pontiac—Easterly, or Saginaw St. Entrance, Oakland County Bldg.

OCEANA—Hart—West Door, Oceana County Court House.

OGEMAW—West Branch—Main Entrance, Court House.

ONTONAGON—Ontonogan — Front Door, Court House.

OSCEOLA—Reed City—Front Door, Court House.

OSCODA—Mio—Front Door, Oscoda County Court House.

OTSEGO—Gaylord—Entrance to Otsego County Court House.

OTTAWA—Grand Haven—North Entrance, Court House.

PRESQUE ISLE—Rogers City—Front Door, Court Rouse.

ROSCOMMON—Roscommon — Front Door, Court House.

SAGINAW—Saginaw—Mich. Ave. Entrance, East Side of Court House.

SANILAC—Sandusky—South Door, County Building.

SCHOOLCRAFT—Manistique — Front Door, Court House.

SHIAWASSEE—Corunna—East Door, Court House.

ST. CLAIR — Port Huron — Front Entrance, City Hall.

ST. JOSEPH—Centerville—North Entrance Steps, Court House.

TUSCOLA—Caro—Front Door, Tuscola County Court House.

VAN BUREN—Paw Paw—Front Door, Court House.

WASHTENAW—Ann Arbor — Court House Steps.

WAYNE—Detroit—Southerly, or Congress St. Entrance, Wayne County Bldg.

WEXFORD—Cadillac — Front Door, Court House.

NOTE — If you have any suggestions for further improvement of this book—any subject or department which you feel will make it more valuable to yourself and to the bar at large—you are cordially invited to submit them. You may be certain that they will receive careful consideration.

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A

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ABBOTT, ARTHUR J, 6th Fl, Buhl Bldg CAdlac 0730
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ABRAMSOHN, WILLIAM, 527 Det Sav Bk Bldg CAdlac 4540
ABT, LEROY J, ‡ 601 Majestic Bldg. CAdlac 0995
ACKERMAN, IRVING B, 325 Hammond Bldg RAndlh 6154
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ADAMS, ROBERT T. Commonwealth Commercial State Bk CHerry 0343
ADAMS, THOMAS H, †‡ 2822 Un Guar Bldg (Member — Warren, Hill, Hamblen, Essery & Lewis) RAndlh 6485
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AIGLER, RALPH W, ‡ Ann Arbor, Mich. (Prof. U of M Law School)
AILES, EDGAR H, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone) CHerry 6420
AKEY, E K, Maccabees Bldg COlbia 1230
ALBAUGH, DONALD I, ‡ 800 Penobscot Bldg RAndlh 2531
ALBERT, SAMUEL J, ‡ 724 Mich Theatre Bldg CHerry 6455
ALDERTON, GEORGE A., †‡ 1726 Dime Bk Bldg (Associate—Race, Haass & Allen) CAdlac 2275
ALDRICH, CHARLES W B, 1920 Un Guar Bldg (Ass't U S Attorney) RAndlh 7766
ALDRICH, FRED H, *†‡ 1520 Dime Bk Bldg CAdlac 7978
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Associates—D J Cohen, G A Alexander, Mollie Hecker
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(Legal Dept Mich Cent RR) Mich Cent Depot LAfyte 7000
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ALTER, EDITH W., 1646 First Natl Bk Bldg ....CAdlac 0414

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ALTLAND, DANIEL F., 1217 Penobscot Bldg ....RAndlh 6166

AMBERSON, VERNE C, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Atty, Wayne County) ....RAndlh 9260

AMBROSE, JOHN B., † 1705 Dime Bk Bldg ....RAndlh 3631

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ANDERSON, WILCOX, LACY & LAWSON, 1928 Buhl Bldg........CAdlac 3650
Firm—J W Anderson, C E Wilcox, A J Lacy, N T Lawson, C J Huddleston, E D Kirkby, E L Shimer
Associates—P J Kenny, J G McIntosh, Helen W Miller, J J Hunt, C W Buxton

ANDES, ROY, 2349 First Nat Bk Bldg ....CAdlac 9066

ANDREWS, CHARLES C, †‡ 2822 Un Guar Bldg (Associate—Warren, Hill, Hamblen, Essery & Lewis) ....RAndlh 6485

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ANGELL, TURNER, DYER & MEEK, 2104 Dime Bk Bldg........CAdlac 5470
Firm—Jas. Turner, C G Dyer, J B Angell, W M Meek
Associates—J T Dasef, A D Ruegsegger, D F Hyde

ANGSTMAN, OSCAR E., Deceased Aug. 6, 1933

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Firm—F W Atkinson, F J Ortman, R M Shock, H T Watson
Associates—R P O'Connor, S M Baker

ATLAS, MILTON R., ‡ 3327 Barlum Tower (Atlas & Solomon) RAndlh 4766

ATLAS & SOLOMON, 3327 Barlum Tower ....RAndlh 4766
Firm—M. R. Atlas, H. J. Solomon

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AUGUST, HERMAN A, *†‡ 3123 Barlum Tower ....CAdlac 0282

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AUSTIN, JOHN L, 727 Penobscot Bldg (Austin & Newman)........RAndlh 0902

AUSTIN & NEWMAN, 727 Penobscot Bldg ....RAndlh 0902
Firm—J L Austin, J R Newman

AVERY, LYMAN B, ‡ 3380 Penobscot Bldg (Associate—Carey, Armstrong, Weadock & Essery) RAndlh 8710

AVRIN, HERMAN S, 951 Penobscot Bldg ....RAndlh 7700

AXFORD, ARTHUR, 2266 Penobscot Bldg (Associate—Lloyd L Axford) ....RAndlh 1474

AXFORD, HENRY W, 721 Hammond Bldg (Axford & Hulett) RAndlh 7211

AXFORD & HULETT, 721 Hammond Bldg ....RAndlh 7211
Firm—H W Axford, Max Hulett

AXFORD, LLOYD L, *†‡ 2266 Penobscot Bldg. ....RAndlh 1474
Associates — W E Tarsney, Arthur Axford, Ray Cashen

B

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BABCOCK, JOHN W., ‡ 826 Ford Bldg ... CAdlac 1514

BACHMAN, LULA E, 2763 Un Guar Bldg ... CAdlac 6939

BAHORSKI, JOSEPH, 6th Fl Buhl Bldg ... CAdlac 1036

BAILEN, MICHAEL P., 1391 Gratiot Ave ... CAdlac 1605

BAILLIE & MURCHIE, 425 Dime Bk Bldg ... RAndlh 9778
Firm — T G Baillie, R B Murchie

BAILLIE, THOMAS G, ‡ 425 Dime Bk Bldg (Baillie & Murchie) ... RAndlh 9778

BAILLIO, A. F., 11th Fl Gen Motors Bldg (Patent Section—Gen Motors Corp) ... TRinty 2-4600

BAIRAS, PAUL, ‡ 3601 Barlum Tower ... CAdlac 9742

BAIRD, ANDREW C., ‡ 520 Dime Bk Bldg ... CAdlac 6144

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BAKER, FREDERICK S., *‡ 801 Penobscot Bldg ... RAndlh 7316

BAKER, RALPH E, 1118 Buhl Bldg ... CAdlac 3434

BAKER, SAMUEL M, 2126 Dime Bk Bldg (Atkinson, Ortman, Shock & Watson ... CAdlac 1897

BALDWIN, GERALD S, 1001 Majestic Bldg ... CAdlac 8262

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BALLARD, BURT E, ‡ 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) ... RAndlh 1204

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BARKER, STANLEY, 417 Penobscot Bldg ... RAndlh 5434

BARKER, STANLEY C., 302 Professional Bldg ... TEmple 1-9525

BARKEY, ARTHUR L, ‡ 2010 Barlum Tower (Traffic Court) (Assistant Corporation Counsel) ... CHerry 9140

BARLOW, WALTER, ‡ 301 City Hall ... CHerry 9640
(Chief Ass't Corp Counsel) ... CHerry 1260

BARNARD, EDWARD N, *‡ 906 Dime Bk Bldg ... CAdlac 3036-7

BARNES, EDWARD A., ‡ 1864 Penobscot Bldg ... CAdlac 3739

BARNES, KISSELLE & LAUGHLIN, 1502 Ford Bldg ... RAndlh 8040
Firm—S C Barnes, J M Kisselle, Lacey Laughlin
Associate—Arthur Raisch

BARNES, STUART C, ‡[MP] 1502 Ford Bldg (Barnes, Kisselle & Laughlin) ... RAndlh 8040

BARNETT, ARCHIE, 702 Lawyers Bldg ... CHerry 6740

BARNETT, ROYAL C, 702 Lawyers Bldg ... CAdlac 6740

BARR, GEORGE F., ‡ 2508 Book Tower ... RAndlh 9630

BARR, SAMUEL W., † 21st Fl David Stott Bldg ... CAdlac 5480

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BARRON, S. BROOKS, †‡ 1530 Un Guar Bldg ... CHerry 2465

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BARRY, WILLIAM R, Saginaw, Mich (Associate—Knight, Mitts & Schmidt)

BARSTOW, FLOYD W., 13544 Woodward Ave ... LOngfw 9108

BARTHEL, A E, Deceased June 29, 1931

BARTHEL, FLANDERS & BARTHEL, 1034-40 First Nat Bk Bldg ... CAdlac 4115
Washington Office, 310 Victor Bldg
Firm—O F Barthel, L E Flanders, A E Barthel (Deceased)

BARTHEL, O E, *[AP] [MP] 1034-40 First Nat Bk Bldg (Barthel, Flanders & Barthel) ... CAdlac 4115

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BAUBIE, WILLIAM E., ‡ 2415 Barlum Tower ......RAndlh 6066

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BEATH, DUNCAN C., 411 Dime Bank Bldg (Associate — Adam Onciu) ......RAndlh 1673

BEATTIE, FREDERICK G, *†‡ 1906 Dime Bk Bldg (Pear, Beattie & Langs) ......CHerry 1883

BEATTIE, STANLEY E, ‡ 2437 First Nat Bk Bldg (Associate—Monaghan, Crowley, Reilley & Kellogg) ......CAdlac 0473

BEAUCHAMP, GEORGE A., ‡ 213 County Bldg ......RAndlh 2370
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BEAUMONT, ARTHUR C., *‡ [AP] [MP] 3053 Penobscot Bldg (Whittemore, Hulbert, Whittemore & Belknap) ......RAndlh 6192

BEAUMONT, JOHN W, *†‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) ......RAndlh 1903

BEAUMONT, SMITH & HARRIS, 2900 Un Guar Bldg ......RAndlh 1903
Firm—J W Beaumont, H H Smith, J H Harris (Deceased), Chas Wright, Jr, Archibald Broomfield, A E Meder, T B Moore, P J Donovan, M C Mason, R H Curtiss, M S Harlan, Y G Smith, U G Krapfel
Associates—F E Robson, C H McIntyre, J A Vance, Jr, L A Masselink, S R Boyer, R W Larwin, D. M. Dixon, L S Robinson

BEBOUT, GAYLORD N, *†‡ 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) ......RAndlh 6300

BECK, JOSEPH J, ‡ 515 Barlum Tower (Associate — A J Seltzer) ......CAdlac 5200-1

BECKENSTEIN, JOSEPH B., ‡ 503 Barlum Tower ......CHerry 5333

BECKHAM, BEN, JR, 3266 Penobscot Bldg (Associate—Milburn & Semmes) ......CAdlac 2385

BEER, WILLIAM J, 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) ......RAndlh 6300

BEHR, FRED A, *†‡¶ 1426 Lafayette Bldg ......CAdlac 0054
Associate—E V Gilliland (Second Vice-Pres. Detroit Bar Association)

BEHRENDT, MILTON A, 1724 Un Guar Bldg ......CHerry 4044

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BELANGER, LEROY W., 2103 David Stott Bldg ......CAdlac 4454

BELCHER, CHARLES N, *†‡ 1123 Penobscot Bldg ......CHerry 5575

BELDING, G. A., ‡ 13732 Mich Ave, Dearborn ......ORegon 1618

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BELL, WILLIAM J., ‡ 9515 Gratiot Ave ......WHtier 8044

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Associate—P R Piper

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BENJAMIN & YOEDICKE, 717 Dime Bk Bldg ......CAdlac 9069
Firm—M W Benjamin, Leo Yoedicke

BENNETT, HARRY S., ‡ 1602 Barlum Tower ......RAndlh 8871

BENSCOZ, EDWARD B., 919 Free Press Bldg ......RAndlh 8556

BENSON, THEODORE H., ‡ 2162 First Natl Bk Bldg ......RAndlh 8011

BENTON, DWIGHT O., 1428 Majestic Bldg (Associate — McClear & Canniff) ......CAdlac 7907

BENYAS, AARON I., 207 Owens Bldg ......CHerry 0436

BENZ, DOROTHY M, 854 Buhl Bldg ......RAndlh 3393

BERG, HERMAN L, 635 First Nat Bk Bldg ......CHerry 0390

BERGEN, JAMES T, 709 Hammond Bldg ......RAndlh 1287

BERGER & BERGER, 1230 First Natl Bk Bldg ......CHerry 8028
Firm—Isadore and Howard P. Berger

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

BERGER, HOWARD P., 1230 First Natl Bk Bldg (Berger & Berger) ....CHerry 8028

BERGER, ISADORE, †‡ 1230 First Natl Bk Bldg (Berger & Berger) ....CHerry 8028

BERKE, NATHAN R., 924 Ford Bldg (Associate—Walters, Carmichael & Head) ....RAndlh 6373-4

BERMAN, MORRIS, 1370 Cass Ave ....CHerry 8800

BERNS, JULIUS L., ‡ 802 Majestic Bldg (Colby, Berns & Costello) CAdlac 9277

BERNSTEIN & BERNSTEIN, 1634 First Nat Bk Bldg (Mandell, Jacob & David Bernstein)....CHerry 2340-1-2

Associate—Edwin S Moag

BERNSTEIN, DAVID, ‡ 1634 First Nat Bk Bldg (Bernstein & Bernstein) ....CHerry 2340-1-2

BERNSTEIN, JACOB, ‡ 1634 First Nat Bk Bldg (Bernstein & Bernstein) ....CHerry 2340-1-2

BERNSTEIN, MANDELL, ‡ 1634 First Nat Bk Bldg (Bernstein & Bernstein) ....CHerry 2340-1-2

BERNSTEIN, R. N., 616 Ford Bldg..RAndlh 5033

BERNSTEIN, VICTOR N., 616 Ford Bldg ....RAndlh 5033

BERRIS, DAVID I, 957 First Nat Bk Bldg (Weisenfeld & Berris)..CAdlac 8788

BERRY, CHARLES B., 339 Gratiot Ave ....CHerry 0727

BERRY, EUGENE P., ‡ Lansing, Mich., State Commissioner of Labor

BERRY, RAYMOND H, †‡ 1000 Penobscot Building (Berry & Stevens) ....CAdlac 2314

BERRY & STEVENS, 1000 Penobscot Bldg ....CAdlac 2314

Firm—R H Berry, C H Stevens

Associates—R W Barbier, D D MacFarlane

BESIMER, FREDERIC B, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone) ....CHerry 6420

BETTS, M. O., 836 Gratiot....CLifrd 3303

BETZOLDT & PFEIFER, 812 Hammond Bldg ....CAdlac 3889

Firm—T C Betzoldt, I W Pfeifer

BETZOLDT, THEODORE C, 812 Hammond Bldg (Betzoldt & Pfeifer) ....CAdlac 3889

BEVAN, E CYRIL, †‡ 2378 First Nat Bk Bldg (Bryant, Lincoln, Miller & Bevan) ....RAndlh 8620

BEYER, WILLIAM F, 1833 Dime Bk Bldg ....CAdlac 0050

BIELFIELD, HARVEY, ‡ 9243 Jos Campau Ave, Hamtramck....TRinty 2-5890

BIGELOW, HORACE W., *†‡ Foot of McDougall St ....FItroy 0890 (Gen. Atty, Parke, Davis & Co)

BIGELOW, N CALVIN, 617 Fidelity Bldg ....CAdlac 0765

BILLING, FRED, ‡ 2008 Stott Bldg CAdlac 2911

BILLS, JOHN C., *†‡ 2288 First Natl Bk Bldg (Member—Stevenson, Butzel, Eaman & Long)....CHerry 8142

BINNS, CARL R., †‡ 1580 E Gd. Blvd (Gen Atty, Packard Motor Car Co) ....WHiter 5600

BINNS, RALPH S, ‡[MP] 408 Penobscot Bldg (Binns, Wadsworth & Lightfoot) ....CHerry 3437

BINNS & LIGHTFOOT, 408 Penobscot Bldg ....CHerry 3437

Firm—R. S. Binns, Stanley Lightfoot

BIRD, CLIFFORD J, 705 Majestic Bldg ....CAdlac 2445

BIRGE, GUY A, *‡ 2356 First Nat Bk Bldg (Burke & Birge)....CAdlac 9273-4

BIRNKRANT, ARTHUR A, 1526 First Nat Bk Bldg (Associate of Birnkrant, Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, BIRNKRANT & BIRNKRANT, 1526 First Nat Bk Bldg ....CAdlac 1800

Firm—S J Birnkrant, M H Birnkrant, M C Birnkrant

Associates—T D Birnkrant, N H Birnkrant, A A Birnkrant, C H Birnkrant, S H Birnkrant

BIRNKRANT, CECIL H, 1526 First Nat Bk Bldg (Associate of Birnkrant, Birnkrant & Birnkrant)....CAdlac 1800

BIRNKRANT, MARK H, ‡ 1526 First Nat Bk Bldg (Birnkrant, Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, MICHAEL C, †‡ 1526 First Nat Bk Bldg (Birnkrant; Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, NORMAN H, 1526 First Nat Bk Bldg (Associate of Birnkrant, Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, SAMUEL H, 1526 First Nat Bk Bldg (Associate of Birnkrant, Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, SAUL J, ‡ 1526 First Nat Bk Bldg (Birnkrant, Birnkrant & Birnkrant) ....CAdlac 1800

BIRNKRANT, THEO D, 1526 First Nat Bk Bldg (Associate of Birnkrant, Birnkrant & Birnkrant)....CAdlac 1800

BISHOP, CHAS. S., 640 Temple Ave (Standard Acc't Ins Co) TEmple 1-8100

BISHOP, HENRY R., ‡ 1114 Majestic Bldg (Associate—Bishop & Weaver) ....CAdlac 5231

BISHOP, MATTHEW H., † 1114 Majestic Bldg (Bishop & Weaver) CAdlac 5231

BISHOP & WEAVER, 1114-19 Majestic Bldg ....CAdlac 5231

Firm—M. H. Bishop, R. R. Weaver.

Associates—J. R. Breakey, Jr., H. R. Bishop.

BIXLER, GEORGE W, †‡§ 3305 Barlum Tower ....CAdlac 2917

BLACK & BLACK, 515 Dime Bk Bldg (Jos G and Thos E H Black) ....CAdlac 0752

BLACK, JOSEPH G, 515 Dime Bk Bldg (Black & Black) ....CAdlac 0752

BLACK, MAURICE, 420 Book Tower (McCollom, Black & Rodd)....CHerry 9664

BLACK, MAXWELL L, ‡ 1663 Penobscot Bldg (Ass't Att'y Gen and Public Administrator, State of Michigan) ....RAndlh 6975-6981

BLACK, THOS E H, 515 Dime Bk Bldg (Black & Black) ....CAdlac 0752

BLACKMORE, L. B., 11th Fl Gen Motors Bldg (Patent Section —Gen Motors Corp)....TRinty 2-4600

BLAIN, BETHUNE D., ‡ 919 Dime Bk Bldg .... CAdlac 9839

BLAKE, FRANCIS M., 3033 Barlum Tower (Associate—Stevens & Stevens) .... CLifrd 2877

BLEDSOE & DENT, 911 Gratiot Ave .... CHerry 6209
Firm—H. E. Bledsoe, F. M. Dent.

BLEDSOE, HAROLD E., 911 Gratiot Ave (Bledsoe & Dent) .... CHerry 6209

BLINSTRUB, BRUNO L, †‡ 1516 Dime Bk Bldg .... CAdlac 2465

BLONDY, ALLEN H., ‡ 816 Wash Blvd Bldg .... RAndlh 5380

BLOOM & BLOOM, 907 Majestic Bldg .... CAdlac 7848
Firm—J A and L D Bloom

BLOOM, JOSEPH A, ‡ 907 Majestic Bldg (Bloom & Bloom) .... CAdlac 7848

BLOOM, LESLIE D, ‡ 907 Majestic Bldg (Bloom & Bloom) .... CAdlac 7848

BLOOMER, HOWARD B., ‡ 800 Penobscot Bldg .... RAndlh 4755

BLUMROSEN, SOL, ‡ 1221 Ford Bldg .... CAdlac 4183

BOCKOFF, HARRY R., 959 First Natl Bk Bldg .... CAdlac 5455

BODMAN, HENRY E, †‡ 3080 Penobscot Bldg (General Counsel Packard Motor Car Co) .... CAdlac 1134

BOGLE, HENRY C, *†‡ 748 Buhl Bldg (Longley, Bogle & Middleton) .... CHerry 0920

BOHM & FOX, 1663 Un Guar Bldg .... RAndlh 3440
Firm—Geo. E. Bohm, Fred W. Fox.

BOHM, GEORGE E., ‡ 1663 Union Guar Bldg (Bohm & Fox) .... RAndlh 3440

BOLIN, FRANCIS W, 751 Griswold St .... CHerry 5810

BOLIO, TEMPLE & SCHAFER, 4824 W. Warren Ave .... EUclid 7943
Firm—Wm. R. Bolio, W. A. Temple, T. M. Schafer.
Associate—B. L. Williams.

BOLIO, WM R, 2119 Dime Bk Bldg .... CAdlac 6954

BOLIO, WILLIAM R., 4824 W. Warren Ave (Bolio, Temple & Schafer) .... EUclid 7943

BOLLINGER, JESSE W., 146 W. Mich. Ave., Dearborn .... DEarborn 1294

BOLLINGER, WILBUR D, 806 Dime Bk Bldg (Associate — Hatfield, Hall & Wood) .... CAdlac 1940

BOLTON, FREDERICK R., ‡ 1532 Un Guar Bldg .... CAdlac 4719

BONAM, ROY W., ‡ 822 Wash Blvd Bldg .... RAndlh 5380

BOOKWALTER, ENOS B., ‡¶ 1637 First Natl Bk Bldg .... CHerry 3620

BOOS, FRANK H Jr, *†‡ 617 Penobscot Bldg (Miller, Baldwin & Boos) .... CAdlac 6074-5-6

BOOTH, B. G., 11th Fl Gen Motors Bldg (Legal Dept—Gen Motors Corp) .... TRinty 2-4600

BORDEN, BARNEY, 3327 Barlum Tower .... RAndlh 4765

BORDNER, CLAYTON D. W., 1010 Ford Bldg .... CAdlac 5423

BORRUSCH, WILLIAM A., ‡ 1532 Un Guar Bldg .... CAdlac 4719

BORUCKI, STANLEY J., ‡ 1601 Barlum Tower .... RAndlh 2370 Ext 5

BOWLES, CHARLES, †‡ 1626 Dime Bk Bldg .... CAdlac 4210

BOWMAN, HOWARD, 500 Police Headquarters, 1300 Beaubien St (Assistant Prosecuting Attorney, Wayne County) .... RAndlh 9260

BOWMAN, LEONARD, ‡ 1420 Lafayette Bldg .... CAdlac 9695

BOYCE, JOHN A., ‡ 209 Hawthorne Bldg, Redford .... REdfrd 0777

BOYER, STEWART R, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

BOYLE, PETER P, 921 Hammond Bldg .... CAdlac 6278

BOYLE, THOMAS R., ‡ 10th Fl Un Guar Trust Co .... CHerry 9300

BOYNE, HON. JOHN A., †‡ Municipal Court Bldg (Recorder and Judge, Recorder's Court) .... CHerry 7440

BRACEGIRDLE, SAMUEL E., †‡ 1007 Lafayette Bldg .... CAdlac 2024

BRACKLOW, WILLARD H., ‡ 802 Majestic Bldg (Associate—Colby, Berns & Costello) .... CAdlac 9277

BRADFORD, CLARENCE A., 1705 First St .... CAdlac 2211

BRADLEY, S POINTER, *†‡ 23rd Fl, First Nat Bk Bldg .... RAndlh 9300-1

BRADY, LEWIS F, 1005 Cadillac Sq Bldg .... CAdlac 3181

BRAGG, NIC D., 2414 Book Tower .... RAndlh 8487

BRAND, GEORGE E, *†‡ 3709 Barlum Tower (First V-Pres Det Bar Ass'n) .... RAndlh 4949
Associate—Orrin C Jones

BRANDT, AUGUST F, 717 Hammond Bldg .... CAdlac 6670

BRASHEAR, WILLIAM W., ‡ 1965 Un Guar Bldg .... CAdlac 7753

BRATTON & BRATTON, 2434 First Nat Bk Bldg .... CAdlac 4774
Firm—U S Bratton, G G Bratton, U S Bratton, Jr

BRATTON, GUY G, ‡ 2434 First Nat Bk Bldg (Bratton & Bratton) .... CAdlac 4774

BRATTON, ULYSSES S, ‡ 2434 First Nat Bk Bldg (Bratton & Bratton) .... CAdlac 4774

BRATTON, ULYSSES S, Jr, ‡ 2434 First Nat Bank Bldg (Bratton & Bratton) .... CAdlac 4774

BRAUN, EDGAR G, *‡¶ 2726 David Stott Bldg .... RAndlh 2900

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

BRAUN, MAX M., †‡ 744 Buhl Bldg CAdlac 0407

BRAUN, MURIEL B., 744 Buhl Bldg CAdlac 0407

BREAKEY, JAMES R., ‡ 1114 Majestic Bldg (Associate—Bishop & Weaver) CAdlac 5231

BREEN, FRED M, 603 Guaranty Bldg RAndlh 8329

BREISMASTER, STANLEY J., [MP] 3053 Penobscot Bldg (Associate—Whittemore, Hulbert, Whittemore & Belknap) RAndlh 6192

BRENNAN, JOHN H., †‡ 1022 Ford Bldg (Member—Lewis & Watkins) RAndlh 3674

BRENNAN, HON. JOHN V., †‡ Municipal Court Bldg (Judge, Recorder's Court) CHerry 7440

BRENNAN, HON. VINCENT M., †‡ County Bldg (Judge, Wayne County Circuit Court) RAndlh 2370

BRESLIN, JOS. F., 1207 David Stott Bldg CHerry 7681

BRESNAHAN & GROEFSEMA, 2302 Buhl Bldg CAdlac 6724
Firm—T. J. Bresnahan, E. H. Groefsema.

BRESNAHAN, THOMAS J., †‡ 2302 Buhl Bldg (Bresnahan & Groefsema) CAdlac 6724

BREWER, CLARENCE D, 2559 Un Guar Bldg (Hitt, Brewer & Haass) CHerry 3330

BREZNER & BREZNER, 1520 Un Guar Bldg CAdlac 7917
Firm—Samuel and Harry Brezner.

BREZNER, HARRY, ‡ 1520 Un Guar Bldg (Brezner & Brezner) CAdlac 7917

BREZNER, SAMUEL, ‡†§ 1520 Un Guar Bldg (Brezner & Brezner) CAdlac 7917

BRIGGS, HARRY F, 1213 Lafayette Bldg (Gloster, Giller & Briggs) CHerry 2111

BRODEL, VIRGINIA, ‡ 1283 E. Grand Blvd WHiter 6908

BROOKE, LEWIS, †‡ 2479 First Nat Bk Bldg CHerry 7077

BROOM, CLAUDE E., 1113 Lafayette Bldg CHerry 4441

BROOMFIELD, ARCHIBALD, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) RAndlh 1903

BROSTEAU, CLARENCE A., 2319 Dime Bk Bldg RAndlh 4230

BROWN, ALAN N, 2148 Penobscot Bldg RAndlh 0135

BROWN, ARTHUR E., ‡ 1407 Lafayette Bldg CAdlac 3590

BROWN, CHARLES L., ‡ 8935 Fenkell Ave HOgrth 4677

BROWN, FREDERICK B., Deceased

BROWN, GRACE H., †‡ 610 Det Sav Bk Bldg (Leithauser, Brown & Babcock) CAdlac 8530

BROWN, HOWARD D., *†‡ 600 United Artists Bldg CHerry 2911
Associates—G. H. Cary, Alan MacLean, L. M. Dyll, P. N. Marentay, R. G. Jamieson, P. R. Erickson.

BROWN, LAWRENCE E, *†‡ 1104 Dime Bk Bldg (Associate—Oxtoby, Robison & Hull) RAndlh 5210

BROWN, MAYER C, ‡ 1033 First Nat Bk Bldg CAdlac 7614

BROWN, RAY O, ‡§ 821 Penobscot Bldg CHerry 9733

BROWN, ROBERT O, 1004 Ford Bldg CAdlac 5999

BROWN, STONEMAN, LORENZO & SPRINGSTUN, 715 Majestic Bldg CAdlac 1120
Firm—W R Brown, L A Stoneman, C A Lorenzo, Humphreys Springstun

BROWN, WENDELL, †‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) RAndlh 3142

BROWN, WM ROLSTON, *†‡ 715 Majestic Bldg (Brown, Stoneman, Lorenzo & Springstun) CAdlac 1120

BROWNELL, C WAYNE, †‡ 1925 Dime Bk Bldg (Associate—Wiley, Streeter, Smith & Ford) CAdlac 4752

BROWNSON, R M, KENNETH MURRAY & PAUL MARCO, 1120 Free Press Bldg RAndlh 7529

BROWNSON, ROBERT M, *†‡ 1120 Free Press Bldg (R M. Brownson, K Murray & P Marco) RAndlh 7529

BRUCKER, WILBER M, *†‡ 2480 Penobscot Bldg CAdlac 0760

BRUSSTAR, WILLIAM D, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Att'y, Wayne County) RAndlh 9260

BRYAN, CHARLES A, 926 Majestic Bldg CAdlac 2623

BRYAN, GREGORY W, 805 Guaranty Bldg CAdlac 2622

BRYANT, EDWARD L, *†‡ 2161 Un Guar Bldg CAdlac 3732

BRYANT, LINCOLN, MILLER & BEVAN, 2378 First Nat Bk Bldg RAndlh 8620
Firm—W G Bryant, B J Lincoln, W L Miller, E C Bevan, R E Des Roches, P S Nertney, J S Horwitz
Associates—F E Chadwick, F R Walter, A M Stern, A A Fuchs, A J Dimma, R E Knister, C E Flory, Jr, T C Murphy

BRYANT, WILLIAM G, *†‡ 2378 First Nat Bk Bldg (Bryant, Lincoln, Miller & Bevan) Consul for the Netherlands RAndlh 8620

BUCHANAN, E. B. 2066 First Natl Bk Bldg RAndlh 2500

BUCHANAN, G CAMERON, 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) RAndlh 1204

BUCHANAN, PHILIP, ‡ 705 Fidelity Bldg CHerry 6799

BUCKINGHAM, WILLIAM C, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Att'y, Wayne County) RAndlh 9260

BUCKLEY, THOMAS M., ‡ 1309 Lafayette Bldg CAdlac 9717

BUDNEY, ALEX. J., 2423 Barlum Tower CAdlac 3996

BULKLEY, LEDYARD, DICKINSON & WRIGHT, 30th Fl Un Guar Bldg RAndlh 5860
Firm—H. C. Bulkley, C. H. L'Hommedieu, S. S. Dickinson, E. P. Wright, H. R. Smith, E. C. P. Davis, R. E. McKean, G. D. Curtis, W. B. Cudlip.
Associates—J. M. Bulkley, R. I. Marquis, A. C. Ledyard, R. W. Conder, E. C. Howbert, R. W. Rogers, Geo. Haggerty, J. G. Garlinghouse, T. D. Wade, S. E. Gawne, E. B. Merry, M. L. Veech, W. C. Jennings.

BULKLEY, HARRY C., *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright) ....RAndlh 5860

BULKLEY, JOHN M., †‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright) RAndlh 5860

BUNETTA, MARIE H, 2201 Dime Bk Bldg (Associate—Thos F Carson) ....RAndlh 3755

BUNIN, ERWIN S, 1157 First Nat Bk Bldg ....CHerry 8080

BURAK, JOSEPH S, *‡ 782 Penobscot Bldg (Grosner & Burak)....CAdlac 0415

BURAU, NORMAN (Legal Dept—Old First Natl Bk) Mich Ave-Griswold Branch ....CHerry 8700

BURCHELL, R G, ‡ 640 Temple Ave (Standard Acc't Ins Co.)....TEmple 1-8100

BURDICK, BENJAMIN D, ‡ 515 Barlum Tower ....CAdlac 1223

BURGER, CARL F, ‡ 405 Stormfeltz-Loveley Bldg (Burger & Sullivan) ....TRinty 2-5200

BURGER & SULLIVAN, 405 Stormfeltz-Loveley Bldg ....TRinity 2-5200
Firm—C F Burger, E D Sullivan

BURKE & BIRGE, 2356 First Nat Bk Bldg ....CAdlac 9273-4
Firm—E D Burke, G A Birge
Associates—D J Laramie, W T Cross

BURKE, EARL D, *‡ 2356 First Nat Bk Bldg (Burke & Birge) CAdlac 9273-4

BURKE, WILFRID L., 501 Francis Palms Bldg ....CAdlac 6555

BURKHARDT, HENRY, 2232 Buhl Bldg ....RAndlh 6136

BURKMAN, ERNEST, 4120 Fenkell Ave (Burkman & Wicklund) UNivty 1-5744

BURKMAN & WICKLUND, 4120 Fenkell Ave ....UNirty 1-5744
Firm—Ernest Burkman, Geo Wicklund.

BURLEIGH, MANFERD, 3511 W Fort St ....LAfyte 3420

BURNS, JOHN McNEIL, 1643 Un Guar Bldg ....CHerry 6630

BURNS, W. J., ‡ 4421 Woodward Ave ....COlbia 1638

BURROWS, E. J., 1415 Ford Bldg (Associate—J. Swan Eldridge)....CAdlac 6466

BURSTON, JOSEPH, 1444 First Natl Bk Bldg ....CAdlac 6611

BURTON, RALPH J, *‡ [AP] [MP] 2016-7 Dime Bk Bldg (Parker & Burton) ....RAndlh 0310

BUTLER, RAYMOND A., 1307 Lafayette Bldg ....CAdlac 8447

BUSHNELL, GEORGE E, *†‡ 2003-12 Dime Bank Bldg (Sempliner, Dewey, Stanton & Bushnell)....CAdlac 2940
(Takes bench—Mich. Supreme Court, Jan. 1, 1934)

BUSSELL, LILLIAN M, 910 Buhl Bldg (Associate—Alfred A Klunover) ....CHerry 1767-8

BUTLER, CLAYTON F, 707 Stott Bldg (Kopietz, Campbell & Butler) ....CAdlac 4835-6

BUTZEL, FRED M, †‡ 1990 First Nat Bk Bldg (Butzel, Levin & Winston) ....CAdlac 7900

BUTZEL, HENRY M HON, *†‡ Justice, Mich Supreme Court, Lansing, Mich ....

BUTZEL, LEO M., *†‡ 2288 First Natl Bk Bldg (Stevenson, Butzel, Eaman & Long) ....CHerry 8142

BUTZEL, LEVIN & WINSTON, 1990 First Nat Bk Bldg ....CAdlac 7900
Firm—F M Butzel, Isadore Levin, A J Levin, H L Winston
Associates—C M Youngjohn, E D Quint, H H Silberman, M W Stein, C L Whitchurch, E H Moyer, M H Fruhauf

BUTZEL, MARTIN L., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long)....CHerry 8142

BUXTON, CLARK W, 1928 Buhl Bldg (Associate—Anderson, Wilcox, Lacy & Lawson) ....CAdlac 3650

BUZZARD, CLAUDE H, 6-215 Gen Motors Bldg (Atty—Pere Marquette R R) ....MAdson 8600

C

CADWELL, FRED G., ‡ 2557 Un Guar Bldg (Cadwell, Kleinert & Blanchard) ....CHerry 2300

CADWELL, KLEINERT & BLANCHARD, 2557 Un Guar Bldg....CHerry 2300
Firm—F. G. Cadwell, W. A. Kleinert, J. W. Blanchard.

CAHALAN, W LEO, Wyandotte Sav Bk Bldg, Wyandotte (Marr & Cahalan) ....WYndot 338

CAHILL, JOHN M., 14140 Stahelin Road, Redford ....REdfrd 2098-W

CALE, PHILIP H, *‡ 421 Reid Bldg (Cale & Cassel) ....CHerry 9437

CALE & CASSEL, 421 Reid Bldg....CHerry 9437
Firm—P H Cale, W C Cassel

CALLAHAN, M. F., 1500 Cadillac Sq Bldg ....CAdlac 8290

CALLENDER, SHERMAN D., *†‡ (Judge, Recorder's Court), 1706 Dime Bk Bldg....RAndlh 3631

CALVER, ARTHUR W., 350 Tremont Bldg., Boston, Mass.

CAMPBELL, HON. ALLAN G., †‡ County Bldg (Judge, Wayne County Circuit Court)....RAndlh 2370

CAMPBELL, ANNA A, ‡ 707 Stott Bldg (Kopietz, Campbell & Butler) ....CAdlac 4835-6

CAMPBELL, ARGYLL E, 500 Police Headquarters, 1300 Beaubien St (Special Ass't Pros-Att'y, Wayne County) ....RAndlh 9260

CAMPBELL, C. A., 11th Fl Gen Motors Bldg (Legal Dept—Gen Motors Corp) ....TRinty 2-4600

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

CAMPBELL, HOWARD H, *†‡ 514 Hammond Bldg ....RAndlh 7760
CAMPBELL, MARLIN J W, ‡ 1323 Penobscot Bldg ....CHerry 1020
CAMPBELL, MORSE D, *†‡ 1912 Un Guar Bldg (Prescott, Coulter, Campbell & Baxter) ....CHerry 6200
CAMPBELL, RALPH, 903 W. Grand Blvd (White Star Ref Co) ....LAfyte 3400
CAMPBELL, WILLIAM K, 2258 First Nat Bk Bldg ....RAndlh 7214
CANFIELD, DON W., ‡ 1222 Lafayette Bldg ....CAdlac 0994
CANFIELD, GEO L, Deceased, 1928
CANNIFF, JOHN T., 1428 Majestic Bldg (McClear & Canniff) ....CAdlac 7907
CAPIZZI, IGNACE A, *‡ 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Attorney, Wayne County) ....RAndlh 9260
(Capizzi & Rota), 1926 First Nat Bk Bldg ....CAdlac 6556
CAPIZZI & ROTA, 1926 First Nat Bk Bldg ....CAdlac 6556
  Firm—I A Capizzi, M A Rota
CAREY, ARCHIBALD, *†‡ 3380 Penobscot Bldg (Carey, Armstrong, Weadock & Essery) ....RAndlh 8710
CAREY, ARMSTRONG, WEADOCK & ESSERY, 3380 Penobscot Bldg ....RAndlh 8710
  Firm—Archibald Carey, H H Armstrong, Paul Weadock, W E Essery, G H Helm
  Associates—L B Avery, J T Smith, J J Marshall
CAREY, FREDERICK A, ‡ 2046 Penobscot Bldg (Member—Goodenough, Voorhies, Long & Ryan) ....CAdlac 8850
CAREY, L J, ‡ 1209 Washington Blvd ....CHerry 4808
CAREY, STEPHEN J, 500 Police Headquarters, 1300 Beaubien St (Assistant Pros-Attorney, Wayne County) ....RAndlh 9260
CARLON, CLARENCE E, ‡ 801 Guaranty Bldg ....CAdlac 8360
CARMICHAEL, ARTHUR O., ‡ 924 Ford Bldg (Walters, Carmichael & Head) ....RAndlh 6373-4
CARPENTER, J WILLIARD, ‡ 819 Penobscot Bldg ....CAdlac 3180
CARPENTER, ROLLA L., *†‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ....RAndlh 3142
CARRIGAN, LEO J., *‡ 2510 Eaton Tower ....CHerry 1951
CARSE, BYRON A., 2306 Dime Bk Bldg ....CAdlac 1124
CARSON, THOMAS F, 2201 Dime Bk Bldg ....RAndlh 3755
  Associate—Marie H Bunetta
CARTWRIGHT, GEORGE T, ‡ 719 Transportation Bldg ....RAndlh 3993
CARY, GEORGE H., ‡ 600 United Artists Bldg (Associate—Howard D. Brown) ....CHerry 2911
CARY, HOWARD H., ‡ 537 Dime Bk Bldg ....CAdlac 8284
CASHEN, RAY, 2266 Penobscot Bldg (Associate—Lloyd L Axford) ....RAndlh 1474
CASSEL, WILLIAM C, 421 Reid Bldg (Cale & Cassel) ....CHerry 9437
CASSESE, JOSEPH A, 325 Hammond Bldg ....RAndlh 6154
CASSIDY, DANIEL P., *†‡ 712 Buhl Bldg ....RAndlh 7611
CASSIDY, JOSEPH D., 712 Buhl Bldg ....RAndlh 7611
CASWELL, FRANK S, ‡ 533 Dime Bk Bldg ....CHerry 9181
CASWELL, WILLIAM H, ‡ 2457 Woodward Ave ....RAndlh 8838
CATALDO, CHARLES R, 1724 Un Guar Bldg ....CAdlac 2627
CATHERWOOD, GLADYS, 510 Fidelity Bldg ....CAdlac 2146
CAVANAUGH, JOSEPH J, †‡ 1804 Un Guar Bldg ....CHerry 2321
CECIL, DORIS, 751 Griswold St ....CHerry 5810
CHADWICK, FRANCIS E, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan) ....RAndlh 8620
CHAMSKI, B F, ‡ 4821 Chene St ....TErace 2-8688
  Associate—Roman P Rebain
CHANNER, HAROLD H, 2205 Dime Bk Bldg (Associate — Slyfield, Hartman, Mercer & Reitz) ....CHerry 4781
CHAPMAN, HERBERT A, 1357 First Nat Bk Bldg ....CAdlac 1710
CHARFOOS, SAMUEL, ‡ 1157 First Nat Bk Bldg ....CHerry 8080
CHARNOSKE, JOSEPH, ‡ 3101 Barlum Tower ....CAdlac 7384
CHASE, JOHN M, ‡ 712 Fidelity Bldg ....RAndlh 3949-50
CHASE & LIEBERMAN, 1227 Barlum Tower (S P Chase, Morris Lieberman) ....CAdlac 8562
CHASE, SAMUEL P, 1227 Barlum Tower (Chase & Lieberman) ....CAdlac 8562
CHAWKE & SLOAN, 1724 Ford Bldg ....RAndlh 1177
  Firm—Thos. F. Chawke, John J. Sloan.
  Associate—Richard J. Sullivan.
CHAWKE, THOMAS F., ‡ 1724 Ford Bldg (Chawke & Sloan) ....RAndlh 1177
CHEDESTER, HUGH C., 914 Dime Bk Bldg ....CAdlac 5825
CHENOT, HON, JAMES E.,‡ County Bldg (Judge, Wayne County Circuit Court) ....RAndlh 2370
CHILSON, HOWARD C., ‡ 854 Buhl Bldg ....RAndlh 3393
CHOATE, WARD N, ‡ 6-233 Gen Motors Bldg ....MAdson 8256
CHOCKLEY, LLOYD T., ‡ 1510 Ford Bldg ....RAndlh 7906
CHOLETTE, PAUL E, 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) ....RAndlh 1204
CIAGLE, JOHN E., 7314 Mich. Ave. ....VInewd. 1-2521
CLARK, BERNARD A., ‡ 1014 Ford Bldg ....RAndlh 7333-4
CLARK, JACKSON B., ‡ 1216 Dime Bk Bldg ....CHerry 6226
CLARK, JOSEPH H, *†‡ 27th Fl Un Guar Bldg (Clark, Klein, Ferris & Cook) ....RAndlh 5090
CLARK, KLEIN, FERRIS & COOK, 27th Fl Un Guar Bldg ....RAndlh 5090
  Firm—J H Clark, G H Klein, J J Ferris (Deceased), G L Cook, J B Sherrard, S A Jacobs, H C Beake
  Associates—R C Winter, J H Parsons, B D Eblen, G R Miller, H R Harding

CLARK, RALPH B., ‡ 2319 Dime Bk Bldg .... RAndlh 4230

CLARKE, STANTON, ‡ 1217 First Natl Bk Bldg .... RAndlh 2697

CLARKSON, EUGENE S, *†‡ 803 Hammond Bldg .... RAndlh 1300

CLASSON, G F, ‡ 1044 Free Press Bldg (Claim Dept, London Guar & Acc Co.) .... CAdlac 8221

CLAYMAN, JACOB, ‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

CLEARY, JAMES M., 3217 Barlum Tower .... CHerry 6438

CLEMENT, FLORENCE N, ‡ 2212 Un Guar Bldg (Associate—Lovett & Orr) .... CHerry 4870

CLINE, HOWARD F., 6369 W Fort St (Kurth, Kurth & Cline) VInewd 1-0030
Also 1010 Ford Bldg .... CAdlac 5423

CLINTON, GERTRUDE, 6038 W Fort St .... Vinewd 1-0391

CLOUTIER, WILFRID L, †‡§ 1015 Dime Bk Bldg .... CAdlac 5334

CLUTTS, ALEAN B ‡ (Mrs), 951 Penobscot Bldg .... RAndlh 7700

COASH, GEORGE P, ‡ 615 Fidelity Bldg (Renaud & Coash) .... RAndlph 4149

COASH, LOUIS E, ‡ 615 Fidelity Bldg (Associate — Renaud & Coash) .... RAndlh 4149

COBURN, CORIE C, 1013 Lafayette Bldg .... CHerry 3389

COBURN, SAMUEL D, ‡§ 1529 Barlum Tower .... CAdlac 9682
Associate—J B Udow

COFFEY, GEORGE C., ‡ 1939 First Natl Bk Bldg .... CAdlac 3250

COHANE, LOUIS S., †‡ 844 Buhl Bldg .... RAndlh 5121

COHANE, REGENE F., ‡ 844 Buhl Bldg .... RAndlh 5121

COHEN, DAVID J, ‡ 728 Penobscot Bldg (Associate—Sidney L Alexander) .... CHerry 6610-11

COHEN, HARRY, 302 Lexington Bldg (Associate of Earl I. Heenan) .... MAdson 5400

COHEN, HERMAN K, 1004 Hammond Bldg .... CHerry 7790

COHEN, I. GOODMAN, 715 Ford Bldg .... CAdlac 1510

COHEN, MAURICE D., 1233 Barlum Tower .... CAdlac 7669

COHEN, WILLIAM, ‡ 515 Barlum Tower (City Atty, Hamtramck) .... RAndlph 4220

COHN, IRWIN I, ‡ 804 Hammond Bldg .... RAndlh 3250
Associates—S R Greenbaum, S J Karbel, E H Stein, A E Frank

COHN, MORRIS, 1746 Penobscot Bldg (Associate—Hunt & Field) .... CADlac 5666

COLBY, BERNS & COSTELLO, 802 Majestic Bldg. .... CAdlac 9277
Firm—H H Colby, J L Berns, B P Costello
Associates—C P Roehl, W H Bracklow, J L Milburn, M A Wolfe

COLBY, HOWARD H., †‡ 802 Majestic Bldg (Colby, Berns & Costello) .... CAdlac 9277

COLE, BEN H., †‡ 1118 Buhl Bldg .... CAdlac 3434

COLE & COLE, C H Harrison Bldg, Ferndale (M F and R F Cole) .... ROyok 1344

COLE, MAURICE F, † [OC] C H Harrison Bldg, Ferndale (Cole & Cole) .... ROyok 1344

COLE, ROGER F, † [OC] C H Harrison Bldg, Ferndale (Cole & Cole) .... ROyok 1344

COLEN, WM. L., 607 E Adams St (Associate—Lewis & Rowlette) .. CLifrd 2108

COLLIER, FRED B., ‡ 2710 David Stott Bldg (Collier, Goodman & Simon) .... CAdlac 4954

COLLIER, GOODMAN & SIMON, 2710 David Stott Bldg .... CAdlac 4954
Firm — F B Collier, Ernest Goodman, A R Simon
Associate—Cecil Pearl

COLLINS, EDWARD F., 6331 Mich Ave .... LAfyte 1818

COLOMBO, COLOMBO & COLOMBO, 2715 Barlum Tower .... RAndlph 1217-8
Firm—Louis J, Paul P, and Emil W Colombo

COLOMBO, EMIL W, *‡ 2715 Barlum Tower (Colombo, Colombo & Colombo) .... RAndlh 1217-8

COLOMBO, JOSEPH A, ‡ 741 West End Ave (Det-Mich Dairies Co) .... VInewd 2-1738

COLOMBO, LOUIS J, ‡ 2715 Barlum Tower (Colombo, Colombo & Colombo) .... RAndlh 1217-8

COLOMBO, PAUL P, ‡ 2715 Barlum Tower (Colombo, Colombo & Colombo) .... RAndlh 1217-8

COLWELL, WALLACE I, 751 Griswold St. .... CHerry 5810

COMELLA, JAMES J, 1231 Dime Bk Bldg (Associate of J. Shurly Kennary) .... CAdlac 0812

COMMAND, HON. EDWARD, ‡ County Bldg (Judge, Probate Court) .... RAndlh 2370

CONDER, ROBERT W., †‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright) .. RAndlh 5860

CONDON, CONDON & FRENCH, 601 Transportation Bldg .... RAndlph 8256
Firm—G M Condon, D M Condon, Norman French

CONDON, DALLAS M, ‡ 601 Transportation Bldg (Condon, Condon & French) .... RAndlh 8256

CONDON, GEORGE M, ‡ 601 Transportation Bldg (Condon, Condon & French) .... RAndlh 8256

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

CONE, KEITH G, 1408 Wash Blvd (Legal Dept Morris Plan Bk)....RAndlh 8760

CONLIN, JOHN W, ‡ 106 N. Fourth Ave, Ann Arbor, Mich

CONNOLLY, WILLIAM F., †‡ 1220 Majestic Bldg ....RAndlh 5457

CONNOR, ADDISON D., †‡ 1528 Buhl Bldg ....RAndlh 1896

CONNOR, ROWLAND M., ‡ 1528 Buhl Bldg ....RAndlh 1896

CONNORS, EDWARD, 8524 Mack Ave. ....WHtier 6993

CONRAD, ALEX, 1646 First Nat Bk Bldg ....CAdlac 0414

CONSIDINE, BASIL, 2146 Penobscot Bldg ....CAdlac 9144

CONVISSAR, HENRY A., 1435 Lafayette Bldg ....CAdlac 3852

CONWAY, JOHN W, ‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) ....CAdlac 6700

COOK, FRANK C, *†‡¶ 1203 Majestic Bldg (F C Cook & J P O'Hara) ....CAdlac 3680

COOK, FRANK C & O'HARA, JOHN P, 1203 Majesitc Bldg....CAdlac 3680

Associates—A L Baumann, J C Cook, J F Wagner

COOK, GRANT L, *†‡ 27th Fl Un Guar Bldg (Clark, Klein, Ferris & Cook) ....RAndlh 5090

COOK, JOHN C, ‡ 1203 Majestic Bldg (Associate—F C Cook & J P O'Hara) ....CAdlac 3680

COOK, ROBERT H., 14414 Grand River ....HOgarth 8558

COOLEY, FRANCIS D., 14422 E. Jefferson Ave ....LEnox 8886

COOLIDGE, FRANK W., †‡ 1428 Lafayette Bldg ....CAdlac 0054

COOPER, GEORGE J, ‡ 1209 Washington Blvd (Mich Mutual Liability Co) ....CHerry 4808

COOTS, JOHN C, ‡ 714 Ford Bldg ....RAndlh 3360

CORBETT, THOMAS F, 1979 First Nat Bk Bldg....CAdlac 7453

CORBITT, KENNETH, 516 Lafayette Bldg, (Ass't U S Attorney) ....CAdlac 5830-1-2-3-4

CORLISS, LEETE & MOODY, 1424 Dime Bk Bldg....RAndlh 0253

Firm—T T Leete, Jr, P B Moody

Associates—Julian Dickinson, A P Leete

COSKEY, LEO A, ‡ 403 Hammond Bldg ....RAndlh..6267

COSTELLO, BERNARD P., ‡ 802 Majestic Bldg (Colby, Berns & Costello) ....CAdlac 9277

COTTER, HON. THOMAS M., ‡ Municipal Court Bldg (Judge, Recorder's Court) ....CHerry 7440

COTTER, WILLIAM F., 706 Griswold Bldg (Prentis, Fitch & Carpenter) ....RAndlh 3142

COULSON, C. L., 8359 W Jefferson Ave ....VInewd 2-0059

COULTER, CLARK C, *†‡ 1546 Penobscot Bldg (Coulter & Hampton) ....CAdlac 9055

COULTER, GLENN M, *†‡ 1912 Un Guar Bldg (Prescott, Coulter, Campbell & Baxter)....CHerry 6200

COULTER & HAMPTON, 1546 Penobscot Bldg ....CAdlac 9055

Firm—C C Coulter, V H Hampton

Associate—W T Olson

COURY, JOHN W, 2729 Barlum Tower ....CAdlac 9065

COUTURE, BERTRAN J., †‡ 1516 Stott Bldg ....CAdlac 6538

COVEY, LEO F., ‡ 1326 Dime Bk Bldg (Munro, Powell, Wing & Covey) ....CAdlac 7785-6-7

COWEN, JOHN C L, ‡ [MP] 1403 Ford Bldg (Associate of Swan, Frye & Hardesty) ....RAndolph 2680

COX, S AMER, ‡ 1375 E. Jefferson Ave ....CLifrd 1057

COYLE, HAROLD F, ‡ 605 Fidelity Bldg ....RAndlh 0352

COYNE, LEONARD S., †‡ 1307 Lafayette Bldg ....CAdlac 6707

CRAM, WOODRUFF B., 715 Stevens Bldg ....CAdlac 7079

CRANDELL, JOHN L., 1407 Lafayette Bldg ....CAdlac 3590

CRANE, DOUGLAS B., 2415 Barlum Tower ....RAndlh 6066

CRANE, HERBERT, 640 Free Press Bldg ....CAdlac 1377

CRAWFORD, COLIN C, ‡ 14915 Wildemere Ave ....UNirty 1-9533

CRAWFORD, KARL R, ‡ 1130 Parker Ave.

CRAWFORD, MILO H, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd)....CAdlac 0200

CRAWFORD, NORMAN F, 6-214 Gen Motors Bldg (Gen Atty P M R R) ....MAdson 8600

CRAWMER, MARION, ‡ 2437 First Nat Bk Bldg (Associate—Monaghan, Crowley, Reilley & Kellogg) ....CAdlac 0473

CRESSWELL, J. E., 554 Buhl Bldg..CAdlac 3740

CRITZER, WILSON, 813 Lafayette Bldg ....CAdlac 0204

CROLL, ABRAHAM, ‡ 2055 Virginia Park ....GArfld 8944-M

CRONIN, DANIEL H., 2302 Buhl Bldg ....CAdlac 6724

Also 8580 Jos Campau Ave....MAdson 3812

CRONIN, GERALD E, ‡ 2010 Stott Bldg ....RAndlh 2890

CROSS, EARL R, ‡ 6341 Gratiot Ave ....IVnhoe 2244

CROSS, JOHN G, 614 Fidelity Bldg ....RAndlh 6568

CROSS, WILLIAM T, 2356 First Nat Bk Bldg (Burke & Birge) ....CAdlac 9273-4

CROSSMAN, CHARLES W., 1201 Det Sav Bk Bldg....RAndlh 7940

CROWE, EVERETT D., 1520 Un Guar Bldg ....CHerry 1470

CROWL, NELLIE M, 411 Hammond Bldg ....RAndlh 0215

CROWL, SAMUEL H, 411 Hammond Bldg ....RAndlh 0215

CROWLEY, DAVID H, ‡ 2437 First Nat Bk Bldg (Monaghan, Crowley, Reilley & Kellogg)....CAdlac 0473

CRUDGINGTON, JAMES H, 1005 Cadillac Sq Bldg....CAdlac 5898

CRUSE, BERNARD W, 805 Guaranty Bldg ....CAdlac 2622

CUDLIP, WILLIAM B., *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright)....RAndlh 5860

CULEHAN, MILES N, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros Atty, Wayne Co)......RAndlh 9260

CULLEN, DANIEL G., 2020 Un Guar Bldg ......CHerry 6900

CULVER, CHARLES H, 4619 Woodward Ave ......COlmba 1204

CULVER, CHESTER M., ‡ 2309 Book Tower ......CAdlac 2120

CULVER, WARD, ‡ 420 Fidelity Bldg ......RAndlh 4150

CUMMIN, EDITH P., *‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long)......CHerry 8142

CUMMINS, CHARLES F., Lansing, Mich (Asst Atty General)

CUMMISKEY, EDMUND A, ‡ 2232 First Nat Bk Bldg (Associate of Lawhead & Kenney)......CAdlac 1420

CUNNINGHAM, EDWARD S, ‡ 640 Temple Ave (Standard Acc Ins Co) ......TEmple 1-8100

CURRAN, GEORGE F, 1108 Guaranty Bldg ......CHerry 3841

CURTIS, GLENN D., †‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright)......RAndlh 5860

CURTISS, ROY H, ‡ 2900 Un Guar Bldg. (Beaumont, Smith & Harris ......RAndlh 1903

CUSHING, FRANK J., 817 Dime Bk Bldg ......CAdlac 7983

CUTLER, CASPER C, *†‡ 1750 Penobscot Bldg ......RAndlh 6633

CYROWSKI, AMALIA S, 4441 Russell St, (Cyrowski, Cyrowski & Cyrowski) ......COlmba 3644

CYROWSKI, ARTHUR, 4441 Russell St (Cyrowski, Cyrowski & Cyrowski) ......COlmba 3644

CYROWSKI, AUGUST, ‡ 4441 Russell St (Cyrowski, Cyrowski & Cyrowski) ......COlmba 3644

CYROWSKI, CYROWSKI & CYROWSKI, 4441 Russell St......COlmba 3644
  Firm—August, Amalia S and Arthur Cyrowski

D

DACEY, CLARENCE J., 1564 First Nat Bk Bldg ......CAdlac 4917

DACEY, VINCENT P., 1564 First Nat Bk Bldg ......CAdlac 4917

DAHLBERG, LeROY W, ‡ 34th Fl, Un Guar Bldg (Emmons, Oren & Sleeper) ......CHerry 1650

DAHLING, LOUIS F., †‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ......RAndlh 3142
  Also 1127 First Nat Bk Bldg......CAdlac 5071

DAILEY, PAUL R., †‡ 2489 First Nat Bk Bldg ......CAdlac 2483

DAILY, LEWIS H., ‡ 1022 Ford Bldg (Associate—Lewis & Walkins)..RAndlh 3674

DANAHER, WILBUR J., ‡ (Equitable Trust Co), Buhl Bldg......CHerry 9220

DANHOFF, JOHN J., *†‡ 300 Mich Central Depot ......LAfyte 7000

DANIELS, LEWIS, ‡ 1757 Un Guar Bldg ......CHerry 8878

DANN, SOL A, †‡§ 3217 Barlum Tower ......CAdlac 1003

DANTO, ROBERT V., 1113 Lafayette Bldg ......CAdlac 6270

DARDEN, FREDERICK B., ‡ 1965 Un Guar Bldg......CAdlac 7753

DARIN, FRANK P., † 2103 David Stott Bldg ......CAdlac 4454

DASEF, J THOMAS, † 2104 Dime Bk Bldg (Associate—Angell, Turner, Dyer & Meek)......CAdlac 5470

DAUGHERTY, CARL V. P., 6 Victor St ......LOngfw 9422

DAVIDOW, ANNE R., ‡ 3210 Book Tower (Davidow & Davidow)....RAndlh 9144

DAVIDOW & DAVIDOW, 3210 Book Tower ......RAndlh 9144
  Firm—L C, A R and Stephen Davidow
  Associates—V H Sugar, W W Allen

DAVIDOW, LARRY S., †‡ 3210 Book Tower (Davidow & Davidow)....RAndlh 9144

DAVIDOW, STEPHEN, ‡ 3210 Book Tower (Davidow & Davidow)....RAndlh 9144

DAVIDSON, CARL F, ‡ 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) ......RAndlh 1204

DAVIDSON, HUGH K, ‡ 320 W Fort Street ......CAdlac 4520

DAVIES, JOSEPH N., ‡ 948 Buhl Bldg ......RAndlh 6998

DAVIES, THOMAS, ‡ 519 County Bldg (Court Stenographer)......RAndlh 2370

DAVIS, ALLEN J., ‡ 1113 Lafayette Bldg ......CAdlac 6646

DAVIS, EARL J., ‡ 820 Ford Bldg..CAdlac 2004

DAVIS, EDW. C. P., *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright)......RAndlh 5860

DAVIS, GILBERT H., 3633 Barlum Tower ......RAndlh 3032

DAVIS, HAROLD W., 820 Ford Bldg ......CAdlac 2004

DAVIS, HARRY L., Room 704, 206 E. Grand River (Davis, Landers, Saks & Webb) ......CAdlac 3165

DAVIS, LANDERS, SAKS & WEBB, Room 704, 206 E Grand River....CAdlac 3165
  Firm—H L Davis, M J Landers, Sam'l Saks, C G Webb
  Associate—Wm Webb

DAVIS, LEONARD R., ‡ Pontiac, Mich (Gen Motors Truck Corp)

DAY, GEORGE E, ‡ 921 Hammond Bldg ......CAdlac 2324

DE BAEKE, VICTOR H., ‡ 1642 Buhl Bldg ......RAndlh 3034-0892

DECKER, EDMUND C., 827 David Stott Bldg ......RAndlh 0900

DE COURSEY, RICHARD S, ‡ 22101 W. Mich Ave, Dearborn (Dearborn State Bank) ......DEarbn 0390

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

DE GREE, EDWARD G, *‡ 3156 Penobscot Bldg (Fildew & DeGree) ....CAdlac 9700-1-2

DELANEY, JAMES E, 804 Penobscot Bldg (Lindley, Delaney & Worsham) ....CAdlac 2346-7-8

DELANEY, W RALPH, ‡ 804 Penobscot Bldg (Lindley, Delaney & Worsham) ....CAdlac 2346-7-8

DELBRIDGE, CHARLES F, Law Offices of, *†‡ 2322 Buhl Bldg..RAndlh 1553
Associates—Orla B Taylor, Counsel; Chas P Dunn; Francis W McCauley

DE MAGGIO, ANDREW, ‡ 1224 1st Nat Bk Bldg ....CAdlac 9824

DEMEL, EARL J, 1041 Penobscot Bldg ....CAdlac 7400

DEMOPOLOS, JAMES, 1429 Barlum Tower ....CAdlac 1004

DENIS, HERBERT A., ‡ 1201 Det Sav Bk Bldg ....RAndlh 7940

DENT, FRANCIS M, ‡ 911 Gratiot Ave ....CHerry 6209

DENTE, ANGELO M, 1921 First Nat Bk Bldg (Dente & Dente)....RAndlh 0947

DENTE, DANTE J, 1921 First Nat Bk Bldg (Dente & Dente)....RAndlh 0947

DENTE & DENTE, 1921 First Nat Bk Bldg (A M and D J Dente)..RAndlh 0947
Associate—V J Dente

DENTE, VALENTINE J, 1921 First Nat Bk Bldg (Associate of Dente & Dente) ....RAndlh 0947

DENYES, HEYWARD T, 1408 Wash Blvd (Legal Dept Morris Plan Bank) ....RAndlh 8760

DESENBERG, HAROLD B, †§ 2137 First Nat Bk Bldg (Douglas, Barbour, Desenberg & Purdy)....CAdlac 2966

DES ROCHES, ROBERT E, †‡ 2378 First Nat Bk Bldg (Partner—Bryant, Lincoln, Miller & Bevan ....RAndlh 8620

DEVINE, ALAN R, ‡ 1419 Majestic Bldg (Devine, Kent & Devine)....CAdlac 2616

DEVINE, EDWARD D, ‡ 1419 Majestic Bldg (Devine, Kent & Devine) ....CAdlac 2616

DEVINE, KENT & DEVINE, 1419 Majestic Bldg ....CAdlac 2616
Firm—E D Devine, H J Kent, A R Devine, W F Wagner

DEVOS, FRITZ, ‡ 3596 St. Jean Ave ....LEnox 0801

DE VRIES, M. L., 1413 Ford Bldg..CAdlac 6856

DEWEY, FRED G, *†‡ 2003-12 Dime Bank Building (Sempliner, Dewey, Stanton & Bushnell)....CAdlac 2940

DEXTER, PHILIP D., †‡ 641 Buhl Bldg ....CAdlac 2726

DEYO, HARRY N, ‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) ....CAdlac 6700

DE YOUNG, SYDNEY, 1411 Dime Bk Bldg ....CAdlac 8595

DICK, RAYMOND L, 1160 E Gr Blvd (Nelson & Dick)....IVnhoe 5991

DICKEY, ARTHUR W, *†‡ [MP] 7-141 Gen Motors Bldg (Harness, Dickey, Pierce & Hann)....MAdson 2300

DICKINSON, JULIAN, ‡ 1424 Dime Bk Bldg (Associate of Corliss, Leete & Moody) ....RAndlh 0253

DICKINSON, PHILIP S., 36 Peterboro St ....TEmple 1-8252

DICKINSON, SELDEN S., *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright) ....RAndlh 5860

DICKINSON, T. PASSMORE, 8130 Grand River Ave....GArfld 9717

DIERDORF, J CARLETON, 6th Fl, Buhl Bldg ....CHerry 9558

DIETERLE, RALPH D., 2826 David Stott Bldg ....RAndlh 1750

DIKE, CALVER & GRAY, 2563 Un Guar Bldg ....CHerry 6410
Firm—G. P. Dike, A. W. Calver, E. J. Gray.
Associates—H. P. Jennings, A. M. Smith

DIKE, GEO. P., 350 Tremont Bldg., Boston, Mass.

DIKEMAN, MURRL E, ‡ 743 Penobscot bldg ....RAndlh 0464

DIKEMAN, MYRON J., 911 Majestic Bldg ....CAdlac 6553

DILL, EARLMONT H, 3620 Barlum Tower (Levin, Levin & Dill)....RAndlh 2550

DILWORTH, W C, 1719 Dime Bk Bldg (Associate—Kerr, Lacey & Scroggie) ....CAdlac 0337

DIMMA, ALVIN J, 2378 First Nat Bank Bldg (Associate of Bryant, Lincoln, Miller & Bevan)....RAndlh 8620

DINGEMAN, HON HARRY J., †‡ County Bldg (Judge, Wayne County Circuit Court)....RAndlh 2370

DINU, CONSTANTINE T., ‡ 1500 Penobscot Bldg ....CHerry 1460

DIXON, DON M, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) ....RAndlh 1903

DIXON, GEORGE S, †‡ [LC] 710 Penobscot Bldg ....CHerry 1132

DODD, LESTER P, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd)....CAdlac 0200

DODGE, FRANCIS M, ‡ 1555 Un Guar Bldg (McIntosh & Dodge) ....CHerry 5770-1

DOELLE, BUELL A, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros Atty, Wayne Co)....RAndlh 9260

DOETSCH, FELIX A, 907 Guaranty Bldg ....RAndlh 2861

DOHANY, CHARLES E, *‡ 1021 Hammond Bldg (Dohany & Dohany) ....RAndlh 0272

DOHANY & DOHANY, 1021 Hammond Bldg ....RAndlh 0272
Firm—Frank H and Chas E Dohany
Associates—D L Shangle, G A Porter, B E Lapham

DOHANY, FRANK H, *‡ 1021 Hammond Bldg (Dohany & Dohany) ....RAndlh 0272

DOHANY & HERSCH, 1845 First Nat Bk Bldg....RAndlh 0587-8
Firm—J Walter Dohany (deceased), A D Hersch
Associates—A L Van Wanseele, E P Simmet

DOHANY, J WALTER, Deceased

DOHRMAN, JOHN H, 921 Hammond Bldg ....RAndlh 3159

DOMBROWSKI, CHRIS J., 7044 W Warren Ave ....GArfld 4999

DOMBROWSKI, STANLEY B, *‡§ 2441 E. Milwaukee (corner Chene) ....MAdson 7741
Associates—Wm P Long, W A Stempien

DONAHUE, JOHN J, ‡ Prosecuting Attorney, Roscommon, Mich

DONAHUE, THOMAS J, 904 Hammond Bldg ....RAndlh 3434

DONALDSON, LEONARD F, †‡§ 418 Penobscot Bldg ....RAndlh 2931

DONNELLY, HOWARD A., ‡ 3027 Barlum Tower ....CAdlac 8845
Associate—Harold G Groehn

DONNELLY, THOS S, 3437 Book Tower ....RAndlh 4635

DONNELLY, WILLIAM M., ‡ 1715 Ford Bldg ....RAndlh 0684

DONOHOE, EUGENE G., 1226 Dime Bk Bldg ....CAdlac 3044

DONOHUE, D JOSEPH, 519 Penobscot Bldg ....RAndlh 2929

DONOHUE, LAWRENCE E, 751 Griswold St ....CHerry 5810

DONOVAN, CATHERINE C (Mrs), 13021 E Forest Ave........MUrray 7128

DONOVAN, CLARENCE C., ‡ 719 Transportation Bldg ....CAdlac 1539
RAndlh 3993

DONOVAN, EDWARD G., 11410 E Jefferson Ave ....LEnox 5363

DONOVAN, FRANK W., †‡ 600 Fidelity Bldg (Associate—Yerkes, Goddard & McClintock) ....RAndlh 1916

DONOVAN, PERCY J, *†‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) ....RAndlh 1903

DORN, WILLIAM F, ‡ 1211 Griswold Bldg (Atty Gen. Office)....RAndlh 6680

DOSS, JOSEPH R., 1614 Dime Bk Bldg ....CAdlac 0200

DOUGLAS, BARBOUR, DESENBERG & PURDY, 2137 First Nat Bk Bldg ....CAdlac 2966
Firm—S T Douglas (Deceased), H V Barbour, H B Desenberg, C C Purdy
Associates—L S Foster, Neal Fitzgerald, P E Minsel

DOUGLAS, SAMUEL T, Deceased 1932.

DOWD, ANDREW F., 205 W Congress St (Banker's Trust Co)....CAdlac 9602

DOWD, LAWRENCE J., 1642 Buhl Bldg ....RAndlh 3034; 0892

DOWD, THOS P, 751 Griswold St ....CHerry 5810

DOYLE, ALBERT C., ‡ 909 Ford Bldg (Doyle & Doyle)........CAdlac 3794-5

DOYLE & DOYLE, 909 Ford Bldg ....CAdlac 3794-5
Firm—Albert C and Lillian M Doyle

DOYLE, LILLIAN M., 909 Ford Bldg (Doyle & Doyle)........CAdlac 3794-5

DOYLE, SIDNEY E, *†‡ 1517 Dime Bk Bldg ....CHerry 2188

DRAKE, FRED S, † 525 Woodward Ave

DRAKE, JESSE, †‡§ 926 Majestic Bldg ....CAdlac 2623

DREIFUSS, LEON, ‡ 528 Det Sav Bk Bldg ....RAndlh 1106

DREIFUSS, MAURICE, 1017 Dime Bk Bldg ....CAdlac 3328

DRESBACH, JAMES, *†‡ 1601-13 Dime Bk Bldg (Associate—Lightner, Hanley, Crawford, Sweeny & Dodd) ....CAdlac 0200

DREXELIUS, PETER J, ‡ 2260 First Nat Bk Bldg (Freedman & Drexelius) ....RAndlh 7836

DRITSAS, BASIL D., ‡ 962 First Nat Bk Bldg ....CAdlac 0238

DROLLINGER, WALTER F., ‡ 1035 Dime Bk Bldg ....CAdlac 0112

DROOCK, AARON, ‡§ 917 Penobscot Bldg ....CAdlac 4053

DRUMMOND, JOHN W., 2928 Gd River Ave ....TEmple 1-6680

DRYSDALE & KREMLICK, 2213 Dime Bk Bldg........CAdlac 1884-5
Firm—Rob't M Drysdale, Kurt J Kremlick

DRYSDALE, ROBERT M, 2213 Dime Bk Bldg (Drysdale & Kremlick) ....CAdlac 1884-5

DUBRINSKY, SAMUEL, 502 Lawyers Bldg ....CAdlac 0909

DUCOLON, MORLEY R, ‡ 14211 Fenkell Ave ....HOgrth 3060

DUFFIELD, DIVIE B, ‡ 17333 Roselawn Ave ....UNirty 2-6775

DUFFY, CHARLES E., 1613 Ford Bldg ....RAndlh 0861

DUFFY, JAMES E, 628 Ford Bldg (Duffy, Sullivan & Duffy)........RAndlh 6282

DUFFY, JOHN, 205 W Congress St (Banker's Trust Co)........CAdlac 9602

DUFFY, SULLIVAN & DUFFY, 628 Ford Bldg ....RAndlh 6282
Firm—Jas F Duffy, John L Sullivan, Harold R Sullivan

DUNCAN, ELLIS CHARLES, ‡ 505 Cadillac Sq Bldg........CAdlac 5310

DUNCAN, JOHN A., 7201 W Fort St ....VInewd 1-6915

DUNCAN, RUSSELL C., 1134 Majestic Bldg ....CAdlac 9353

DUNN, CHARLES P, ‡ 2332 Buhl Bldg. (Associate—Law Offices of Chas F Delbridge) ....RAndlh 1553

DUNN, JOHN G, ‡ 603 Majestic Bldg ....CAdlac 6767

DUNNE, WALTER J., ‡ 1215 Ford Bldg ....CAdlac 6471

DURANCE, W., 1507 First Nat Bk Bldg ....CHerry 6231

DURAND, HARVEY S., ‡ 2000 Penobscot Bldg ....RAndlh 8410

DURHAM, H FREDERICK, 6351 Gratiot Ave ....IVnhoe 6540

DWIGHT, EDWARD, 409 Hammond Bldg (Associate of Chas E George) ....RAndlh 3671

DWORIN, HARRY, ‡ 8733 Jos Campau Ave ....MAdson 1245

DWYER, DENNIS H., 623 Barlum Tower ....RAndlh 2627

DWYER, PAUL T, ‡ 301 City Hall..CHerry 9640
(Ass't Corporation Counsel)........CHerry 1260

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

DYE, FRED, ‡ 854 Buhl Bldg........RAndlh 3393

DYER, CLIFTON G, *†‡ 2104 Dime Bk Bldg (Angell, Turner, Dyer & Meek) ....CAdlac 5470

DYKEMA, JONES & WHEAT, 2746 Penobscot Bldg ....CHerry 6040
- Firm—R K Dykema, E O Jones, Renville Wheat
- Associates—B J Manley, E R Vollwiler, B H Long, J H Spencer, N B Goodnow

DYKEMA, RAYMOND K, *†‡ 2746 Penobscot Bldg (Dykema, Jones & Wheat) ....CHerry 6040

DYLL, LOUIS M., ‡ 600 United Artists Bldg (Associate—Howard D Brown) ....CHerry 2911

DYSARZ, JOHN C., 302 County Bldg (Dep. Probate Register)....RAndlh 2370

E

EAMAN, FRANK D., *†‡ 2288 First Nat Bk Bldg (Stevenson, Butzel, Eaman & Long) ....CHerry 8142

EARLY, PETER J., ‡ 2635 Barlum Tower ....CAdlac 7374

EBLEN, BINGHAM D, ‡ 27th Fl, Un Guar Bldg (Associate of Clark, Klein, Ferris & Cook......RAndlh 5090

EBLEN, JOHN E, 51 W Warren Ave ....COlmba 1600

ECHLIN, EDWARD P., 1014 Ford Bldg (Echlin & Lendzion)........RAndlh 1025

ECHLIN & LENDZION, 1014 Ford Bldg ....RAndlh 1025
- Firm—E P Echlin, L C Lendzion

ECKELBERRY, JOHN W., ‡ 3102 Un Guar Bldg ....CAdlac 8816

ECKERT, GEORGE E., ‡ 2733 Barlum Tower ....CAdlac 4339

ECKLUND, STAFFAN A, †‡ 3105 E Grand Blvd—at Woodward....MAdson 1107

ECKSTEIN, FRANK P., 1005 Cad Sq Bldg ....CAdlac 0522

EDWARDS, FRANCIS W, 1005 Cadillac Sq Bldg ....RAndlh 0324

EGGENBERGER, WM. J., 3132 Un Guar Bldg ....CHerry 6360

EIGES, HERBERT M, ‡ 1047 Free Press Bldg ....CAdlac 9666

EISELE, KARL G., ‡ 697 Stimson St ....TEmple 2-8325

ELDRIDGE, J. SWAN, ‡ 1415 Ford Bldg ....CAdlac 6465-6
- Associates — Edwin J Burrows, Paul W Waldo

ELLIS, HOWARD J, *†‡ [LC] 1640 Buhl Bldg ....RAndlh 0892

ELLIS, HOWARD L., ‡ 14417 Mack Ave (Ellis & Voight)........TUxedo 2-2542

ELLIS & VOIGHT, 14417 Mack Ave ....TUxedo 2-2542
- Firm—H L Ellis, W S Voight)

ELLMANN, JAMES I, ‡ 1041 Penobscot Bldg ....CAdlac 7400

ELLSWORTH, WILLIAM D, ‡ 716 Hammond Bldg ....RAndlh 7361

EMBREY, BEDFORD L., 814 Maccabees Bldg ....COlmba 5480

EMERY, ARLO A, ‡ 1424 Dime Bk Bldg ....RAndlh 0253
(City Attorney, Plymouth, Mich.)

EMERY, JOHN C, *†‡ 1272 First Nat Bk Bldg (Griffin, Heal & Emery) ....CAdlac 4237

EMMONS, HAROLD H, *†‡ 34th Fl Un Guar Bldg (Emmons, Oren & Sleeper) ....CHerry 1650

EMMONS, OREN & SLEEPER, 34th Fl Un Guar Bldg........CHerry 1650
- Firm — H H Emmons, Paul Oren, H A Sleeper
- Associates — Donald McGaffey, D A Howell, J G Kane, L W Dahlberg

ENGEL, JOHN H, ‡ 2232 Buhl Bldg ....CHerry 2522

ENGEL, SANDOR, † 7862 W Jefferson Ave ....VInewd 2-1213

ENGLAND, HOWELL S., ‡ 13573 Wark Ave ....NOrlwn 3774

ERICKSON, PAUL R., ‡ 600 United Artists Bldg (Associate—Howard D Brown) ....CHerry 2911

ERWIN, SID A., ‡ 1220 Free Press Bldg ....RAndlh 0155
- Associate—Doris M Hicks

ESPERTI, ANTHONY A, *†‡ 2205 Barlum Tower ....CAdlac 1565

ESSERY, CARL V, †‡ 2822 Un Guar Bldg (Warren, Hill, Hamblen, Essery & Lewis)........RAndlh 6485
(Pres Michigan State Bar Assn)

ESSERY, WILLIAM E, *†‡ 3380 Penobscot Bldg (Carey, Armstrong, Weadock & Essery)........RAndlh 8710

EVANS, HERBERT H, 744 Penobscot Bldg ....CAdlac 7475

EVANS, JOHN C, 1504 Un Guar Bldg ....RAndlh 3321

EVANS, ROBERT, 1336 Brush St (Associate—Roxborough & Taliaferro) ....CLifrd 4280

EVELETH, E. S., 11th Fl Gen Motors Bldg (Patent Section, Gen Motors Corp) ....TRinty 2-4600

EVELY, ARTHUR L, ‡ 2822 Un Guar Bldg ....RAndlh 6485

EWART, WALTER, 1013 Lafayette Bldg ....CAdlac 6512

F

FAGERLIN, GLENN W, ‡ 1646 Penobscot Bldg ....CHerry 4250

FALLON, WILLIAM H., ‡ 25 Washington St, Monroe, Mich

FARKAS, N. D., 554 Buhl Bldg......CAdlac 3740

FARLEY, I JOSEPH, 748 Buhl Bldg (Patent Counsel—Longley, Bogle & Middleton)........CHerry 0920
Also 8632 Dearborn Ave........VInewd 1-1100

FARRELL, HOWARD, 1418 Majestic Bldg ....CAdlac 5981

FARRELL, MARK, † 2349 First Nat Bk Bldg ....CAdlac 9066

FARRELL, THOS. S., 2423 Barlum Tower ....CAdlac 3996

FARRIS, HERMAN D., ‡ 719 Majestic Bldg ....CHerry 3630

FEAD, MAXWELL E, ‡ 3456 Penobscot Bldg (Associate — Miller, Canfield, Paddock & Stone)......CHerry 6420

FEALK, NORMAN, 403 Hammond Bldg ....CAdlac 6735

FEINBERG, MORRY M, ‡ 2427 First Nat Bk Bldg........CHerry 6260

FELLMAN, AARON, †‡ 2426 First Nat Bk Bldg ....CAdlac 3040

FERBER, NATHAN L M, ‡ [WC] 1018 Fisher Bldg ....MAdson 7268

FERGUSON, FRANK B., ‡ 1114 Buhl Bldg ....CAdlac 3434

FERGUSON, HON. HOMER, †‡ County Bldg (Judge, Wayne Co Circuit Court) ....RAndlh 2370

FERGUSON, JOHN, 1719 Dime Bk Bldg (Associate—Kerr Lacey & Scroggie) .... CAdlac 0337

FERRIS, JAMES J, Deceased, 1933 (Clark, Klein, Ferris & Cook)

FERRIS, WILLIAM A, ‡ 13732 Michigan Ave, Dearborn, Mich.. ORegon 5726

FETTERS, GEORGE O, ‡ 844 Penobscot Bldg .... RAndlh 7500

FEWLASS & FRISBIE, 2624 W Gd Blvd .... MAdson 8300
Firm—J L Fewlass, D W Frisbie

FEWLASS, J. LYNN, 2624 W Gd Blvd (Fewlass & Frisbie) .... MAdson 8300

FIELD, GEORGE S., 2426 First Nat Bk Bldg .... CAdlac 3040

FIELD, G LESLIE, 1746 Penobscot Bldg (Hunt & Field) .... CAdlac 5666

FILDEW & DeGREE, 3156 Penobscot Bldg .... CAdlac 9700-1-2
Firm—S L Fildew, E G DeGree
Associate—L J Hammond

FILDEW, STANLEY L, *‡ 3156 Penobscot Bldg (Fildew & DeGree) .... CAdlac 9700-1-2

FILLINGER, O. CHARLES, ‡ 833 Barlum Tower .... CHerry 6921

FILLMORE, DALE H, ‡ 150 W Fort Street .... CHerry 3680

FINEBERG, A. LEWIS, 1429 Barlum Tower .... RAndlph 6920

FINK, E. A., 2733 Barlum Tower.... CAdlac 4339

FINK, MELVIN E., ‡ 801 Cadillac Sq Bldg .... CAdlac 5665

FINKELSTEIN, ISAAC, ‡ 964 First Nat Bk Bldg .... CAdlac 3580

FINKELSTON, LOVEJOY & KAPLAN, 1732 Buhl Bldg .... RAndlh 1260
Firm—M H Finkelston, Earl Lovejoy, N N Kaplan
Associates—Henry Glicman, Myer Rubin, D H Mosier, Earl Kuhn

FINKELSTON, MAX H, ‡ 1732 Buhl Bldg (Finkelston, Lovejoy & Kaplan) .... RAndlh 1260

FINN, T. ROY, 10593 W Jefferson Ave .... VInewd 2-2566

FISCHER, HARVEY A, *†‡ 1104 Dime Bk Bldg (Associate—Oxtoby, Robison & Hull) .... RAndlh 5210

FISCHER, HENRY P., 4216 Mt. Elliott Ave .... IVnhoe 0564

FISHER, JACOB E, 3531 Holcomb Ave .... WHtier 4826

FISTLER, DWIGHT F, Grand Rapids, Mich (Associate—Mason, Alexander & MsCaslin)

FITCH, FERRIS H., ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) .... RAndlh 3142

FITZGERALD, FRANCIS, ‡ 3005 Barlum Tower (Associate — Wm. H. Gallagher) .... CAdlac 2755

FITZGERALD, GEORGE S, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros Atty—Wayne County) .... RAndlh 9260

FITZGERALD, GERALD, ‡ 707 Ford Bldg .... CAdlac 7832

FITZGERALD, NEAL, †‡*¶, 2137 First Nat Bk Bldg (Associate of Douglas, Barbour, Desenberg & Purdy) .... CAdlac 296

FITZGERALD, VINCENT L, ‡ Richmond, Mich

FITZPATRICK, W. G., ‡ 6th Fl, 328 Bates Street .... CHerry 9109
(Gen Counsel — Eastern Mich System)

FITZSIMONS, GEO. R., 1130 First Nat Bk Bldg .... CAdlac 2932

FIXEL, ARTHUR E, *†‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

FIXEL, ROWLAND W, *†‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

FLANCHER, JOHN H, 325 Hammond Bldg .... RAndlh 6154

FLANDERS, L E [MP] 1034-40 First Nat Bank Bldg (Barthel, Flanders & Barthel) .... CAdlac 4115

FLANIGAN, WILLIAM A., 13535 Woodward Ave .... LOngfw 1066

FLEMING, AUSTIN, ‡ 2822 Un Guar Bldg (Associate — Warren, Hill, Hamblen, Essery & Lewis) .... RAndlh 6485

FLICKINGER, LOWELL D., ‡ 1917 Dime Bk Bldg .... CAdlac 5068

FLINT, R. N., 11th Fl, Gen Motors Bldg (Patent Section—Gen Motors Corp) .... TRinty 2-4600

FLORA, DONALD D, 3852 Mt. Elliott .... PLaza 1270

FLORY, CHAS E JR, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan).... RAndlh 8620

FLYNN, GEORGE H., ‡ 963 First Nat Bk Bldg .... CHerry 0460

FLYNN, GEORGE H, ‡ 2349 First Nat Bk Bldg .... CAdlac 9066

FOLEY, DANIEL R, †‡ 1039 Penobscot Bldg .... RAndlh 3234

FORD, RICHARD, *†‡ 1925 Dime Bk Bldg (Wiley, Streeter, Smith & Ford) .... CAdlac 4752

FORDELL, S VINCENT, ‡ 417 Penobscot Bldg .... RAndlh 5434
7014 W. Jefferson Ave .... VInewd 2-4450

FORLER, HENRY C. L., †‡ 1202 First Nat Bk Bldg .... CAdlac 9493

FORSTER, CHARLES R, 3122 Un Guar Bldg (Larkins & Forster) .... RAndlh 3962

FORSYTH, RICHARD A, †‡ 2822 Un Guar Bldg (Member—Warren, Hill, Hamblen, Essery & Lewis) .... RAndlh 6485

FOSTER, JAMES C., ‡ 903 W Grand Blvd (White Star Ref Co) .... LAfyte 3400

FOSTER, LELAND S, †‡§ 2137 First Nat Bk Bldg (Associate of Douglas, Barbour, Desenberg & Purdy) .... CAdlac 2966

CHARLES K. HARRIS COMPANY

Certified Public Accountants

1317 GRISWOLD BUILDING—Cadillac 3338

FOSTER, ORVILLE H, JR, ‡ 2232 Buhl Bldg ... RAndlh 6136

FOSTER, SPARKMAN D, †‡ 2822 Un Guar Bldg (Member—Warren, Hill, Hamblen, Essery & Lewis) ... RAndolph 6485

FOWLER, HARRY W, ‡ 2232 First Nat Bk Bldg (Associate of Lawhead & Kenney) ... CAdlac 1420

FOX, CHARLES R, ‡ 3161 Un Guar Bldg ... CAdlac 3005

FOX, FREDERICK W., †‡ 1663 Un Guar Bldg (Bohm & Fox) ... RAndlh 3440

FOX, RAYMOND A., †‡ 2000 Penobscot Bldg (Fox & Severance) ... RAndlh 8410

FOX & SEVERANCE, 2000 Penobscot Bldg ... RAndlh 8410
Firm—W M Severance, R A Fox

FRANCIS, HUGH, ‡ 1801 Dime Bk Bldg (Associate Alex J. Groesbeck) ... RAndlh 6341

FRANK, ARNOLD E, 804 Hammond Bldg (Associate—Irwin I. Cohn ... RAndlh 3250

FRANK, SEYMOUR J., ‡ 3315 Barlum Tower ... CAdlac 4285

FRANKEL, SAMUEL D, ‡ 2302 First Nat Bk Bldg ... CAdlac 2490-1

FRANKLIN, HENRIETTA, ‡ 212 County Bldg (Deputy County Clerk) ... RAndlh 2370

FRANKLIN, LEO I, *†‡ 1104 Dime Bk Bldg (Associate—Oxtoby, Robison & Hull) ... RAndlh 5210

FRANSETH, PAUL, ‡ 2046 Penobscot Bldg (Associate — Goodenough, Voorhies, Long & Ryan ... CAdlac 8850

FRAZER, JAMES E., 1272 First Nat Bk Bldg (Associate—Griffen, Heal & Emery) ... CAdlac 4237

FREDERICK, DONALD B., *‡ 1706 Dime Bk Bldg ... RAndlh 3631

FREDERICK, GREGORY H, ‡ 516 Lafayette Bldg (United States Attorney) ... CAdlac 5830-1-2-3-4

FREEDLAND, NATHAN, ‡ 400 Lawyers Bldg ... CAdlac 3025

FREEDMAN & DREXELIUS, 2260 First Nat Bk Bldg ... RAndlh 7836
Firm—Max N Freedman, P J Drexelius
Associate—Harold Helper

FREEDMAN, MAX N, *†‡ 2260 First Nat Bk Bldg (Freedman & Drexelius) ... RAndlh 7836

FREEMAN, SILER, †‡ 2100 Penobscot Bldg ... CAdlac 2425

FREID, J. HENRY, 1233 Barlum Tower ... CAdlac 7669

FREIMUTH, WILLIAM A, †‡ 2346 Penobscot Bldg (Wynn, Zinn & Freimuth) ... CAdlac 0126

FRENCH, NORMAN, ‡ 601 Transportation Bldg (Condon, Condon & French) ... RAndlh 8256

FREUD, HENRY J, ‡ 601 Guaranty Bldg ... CAdlac 5662

FREUD, JEROME S, ‡ 2366 Penobscot Bldg (Schueler & Freud) ... CHerry 4530

FRICK, O. GUY, †‡ 806 Dime Bk Bldg ... CAdlac 1940

FRIEDMAN, HENRY, 1939 First Nat Bk Bldg ... CAdlac 3250

FRIEDMAN, I D, 2344 First Nat Bk Bldg ... RAndlh 7113

FRIEDMAN, IRWIN, ‡ 744 Buhl Bldg ... CAdlac 1363

FRIEDMAN, LOUIS G, 2148 Penobscot Bldg ... CAdlac 0600

FRIEDMAN, MARK, 206 Hammond Bldg ... RAndlh 7295

FRIEDMAN, MEYERS & KEYS, 725-32 Dime Bank Bldg ... CAdlac 3360
Firm — Wm. Friedman, Henry Meyers and Myron A. Keys
Associates — Peter P Gilbert, Aaron Weiswasser, Sylvan Rapaport and Albert A Williams

FRIEDMAN, THEODORE S, 2326 First Nat Bk Bldg ... RAndlh 4334

FRIEDMAN, WILLIAM, *†‡ [AMD] 725-32 Dime Bank Bldg (Friedman Meyers & Keys)

FRISBIE, DOOR W., 2624 W Grand Blvd (Fewlass & Frisbie) ... MAdson 8300

FRISBIE, HALLET B, 203 Hammond Bldg ... RAndlh 7271

FRUHAUF, MAX H, †‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston) ... CAdlac 7900

FRYE, EZRA H., †‡ 1442 Majestic Bldg (Schmalzreidt, Frye, Granse & Frye) ... RAndlh 7600

FRYE, FLOYD A., †‡ 1442 Majestic Bldg (Schmalzreidt, Frye, Granse & Frye) ... RAndlh 7600

FRYE, GEORGE REX, ‡ [MP] 1403 Ford Bldg (Swan, Frye & Hardesty) ... RAndlh 2680

FUCHS, ARTHUR A, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan) ... RAndlh 8620

FULLER, ERNEST M., †‡ 514 Buhl Bldg ... CAdlac 8428

FULTON, CLYDE L, §£ 500 Murphy Bldg, Highland Park ... LOngfw 7520
Associate Justice of Peace—City of Highland Park

G

GAFFNEY, LAWRENCE W., ‡ 1235 Lafayette Bldg ... CAdlac 4095

GAFILL, JOHN J., ‡ Room 500, 441 E Jefferson Ave ... RAndlh 2260
(Asst Atty, G T W R R Co)

GAGE, ALEX K, 500 Police Headquarters 1300 Beaubien St (Ass't Pros Atty—Wayne County) ... RAndlh 9260

GAGE, HENRY F., 720 Transportation Bldg ... RAndlh 3993

GALBRAITH, W K, ‡ Ulseth Bldg, Calumet, Mich

GALL, WILLIAM N, ‡ 2822 Un Guar Bldg (Associate — Warren, Hill, Hamblen, Essery & Lewis) ... RAndlh 6485

GALLAGHER, TILDEN M, 1626 Un Guar Bldg ... CHerry 5288

GALLAGHER, WM. H., *†‡ 3005 Barlum Tower ... CAdlac 2755
Associates—E B Sullivan, W H Kaplan, Francis Fitzgerald, S R Paul, Abraham Satorsky, L E Goldstein

GALLOGLY, WEST H., ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ... RAndlh 3142
Also 3000 Un Guar Bldg ... CAdlac 3566

GALLUP, CHARLES E, 307 Guaranty Bldg ... RAndlh 3562

GAMBLE, ROY C, ‡ 2727 Second Blvd (S S Kresge Co) ... CHerry 8000

GANS, ROBERT S, 704 Guaranty Bldg ... CAdlac 9381

GANTZ, BENJAMIN, ‡ 1363 First Nat Bk Bldg ... CAdlac 5771

GARBER, JAMES R., ‡ 1013 Lafayette Bldg ....CAdlac 6512

GARDHOUSE, LESTER J., 6217 W Fort St ....VInewd 1-1010

GARDHOUSE, P. H., 701 Book Bldg ....CAdlac 1332

GARDULSKI, JOSEPH, ‡ Detroit Packing Co, 1120 Springwells..VInewd 2-3500

GARLINGHOUSE, JOHN G., †‡ 3000 Union Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright) ....RAndlh 5860

GARRISON, VELMA G, 2034 First National Bk Bldg....RAndlh 1204 (Mason, Alexander & McCaslin)

GARVETT, MORRIS, *†‡ 3620 Barlum Tower ....RAndlh 2550

GASSMAN, EDWARD H, ‡ 801 Griswold Bldg ....CAdlac 4308

GATES, CHARLES F., ‡ Sandusky, Ohio

GAWNE, SAMUEL E., ‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright)..RAndlh 5860

GEALER, NATHAN, 1646 First Nat Bk Bldg ....CAdlac 0414

GEDDES, HAROLD W, 1401 First Nat Bk Bldg (Associate—Knight, Mitts & Schmidt) ....RAndlh 4351

GEER, WILLIAM A., ‡ 1496 Seyburn Ave ....FItzry 0588-J

GELFAND, JACOB, 619 ‡ Hammond Bldg ....CAdlac 1878

GELFUND, STANLEY, ‡ 700 Fidelity Bldg (Associate—Herbert M Weil) ....CAdlac 2080

GELLEIN, HILMER, 1221 First Nat Bk Bldg (Associate — Pliny W. Marsh) ....CAdlac 1314

GELLER, BYRON, Lansing, Mich (Asst Atty General)

GELMAN, BENJAMIN B., 1117 Penobscot Bldg ....CAdlac 8090

GEORGE, CHARLES E, § 409 Hammond Bldg ....RAndlh 3671
Associates—M S Green, Edw Dwight

GERACI, JOSEPH J., 504 Washing-Blvd Bldg ....CHerry 0482

GERVAIS, HARRY L., ‡ 729 Ford Bldg ....CAdlac 7652

GIBBONS, JAMES, 834 Penobscot Bldg ....CAdlac 6857

GIBSON, WALTER H., 10th Fl, Un Guar Trust Co ....CHerry 9300

GIBSON, WILLIAM A, JR, ‡ 17327 Stoepel Ave ....UNirty 1-9249

GIELOW, FREDERICK C., †‡ 1022 Ford Bldg (Associate—Lewis & Watkins) ....RAndlh 3674

GIFFORD, A. C., 1379 First Nat Bk Bldg (Globe Indemnity Co)......RAndlh 7896

GIGANTE, SAMUEL G., †‡ 404 Penobscot Bldg ....RAndlh 8257-8-9

GILBERT, LEROY (deceased)

GILBERT, MARTIN, 1157 First Nat Bk Bldg ....CHerry 8080

GILBERT, PETER P, ‡ 725-32 Dime Bk Bldg (Associate — Friedman, Meyers & Keys)

GILDENPFENNIG, EARL, 5 West Larned St ....CAdlac 9540

GILES, WM B, †‡ 2433 Barlum Tower (Lawson & Giles) Prof Det Col of Law....RAndlh 1771

GILLER, ROWLAND E, § 1213 Lafayette Bldg (Gloster, Giller & Briggs) ....CHerry 2111

GILLESPIE, BRENNAN B., 2462 First Nat Bk Bldg....RAndlh 1095

GILLESPIE, GLENN C., ‡ Pontiac, Mich

GILLESPIE & HARE, 3404 Barlum Tower ....CAdlac 0106
Firm—J C Gillespie, A H Hare

GILLESPIE, J C, 3404 Barlum Tower (Gillespie & Hare)....CAdlac 0106

GILLILAND, EDWIN V, †‡ 1426 Lafayette Bldg (Associate—Fred A Behr) ....CAdlac 0054

GILLIS, HON. JOSEPH A., ‡ Room 118 County Bldg (Judge, Conciliation Division, Common Pleas Court) ....RAndlh 2370

GILLIS, STEPHEN E., 1726 David Stott Bldg ....RAndlh 4443

GILMORE, G. NORMAN, 708 Hammond Bldg ....CAdlac 4003

GILMORE, JOHN W., 2502 Barlum Tower ....CAdlac 1860

GILTNER, C W, ‡ 1379 First Nat Bk Bldg (Globe Indemnity Co) ....RAndlh 7896

GINGOLD, MARVIN B, ‡ 2450 First Nat Bk Bldg....CAdlac 1964

GITTENS, CLARENCE E, ‡ 800 Penobscot Bldg ....RAndlh 2531

GITZEN, C. WILLARD, ‡ (Legal Dept, Old First Nat Bk), Mich Ave-Griswold Branch ....CHerry 8700

GIUFFRE, ANTHONY, ‡ 900 Lawyers Bldg ....RAndlh 1242

GLADWIN, BENJAMIN A, ‡ 1604 Un Guar Bldg....RAndlh 9815

GLASIER, LOUIS, ‡ 2427 First Nat Bk Bldg ....CHerry 6260

GLAZER, JOSEPH C, ‡ 2442 Buhl Bldg ....CAdlac 1242

GLICK, ALEX, ‡ 1513 First Nat Bk Bldg ....RAndlh 3315

GLICMAN, HENRY, ‡ 1732 Buhl Bldg (Associate—Finkelston, Lovejoy & Kaplan)....RAndlh 1260

GLOSTER, GILLER & BRIGGS, 1213 Lafayette Bldg....CHerry 2111
Firm—G W Gloster, R E Giller, H F Briggs

GLOSTER, G. WILSON, ‡ 1213 Lafayette Bldg (Gloster, Giller & Briggs) ....CHerry 2111

GLOVER, FREDERIC S, JR, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone)..CHerry 6420

GODDARD, EDWIN C., ‡ Ann Arbor, Mich
(Prof, U of M Law School)

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

GODDARD, FRED C., ‡ 844 Free Press Bldg ....RAndlh 4435

GODDARD, KARL B., *†‡ 600 Fidelity Bldg (Yerkes, Goddard & McClintock) ....RAndlh 1916

GOETZ, ALBERT G, ‡ 1102 Penobscot Bldg ....RAndlh 1483

GOGGEL, HENRY J, ‡ 2256 Penobscot Bldg ....CHerry 6500

GOLD, JOSEPH, 907 Guar Bldg....CAdlac 5299

GOLDBER, HENRY J, 619 Hammond Bldg ....CAdlac 1878

GOLDEN, FRANK C., †‡ 1209 Lafayette Bldg ....CAdlac 1498

GOLDEN, OLIVER J., ‡ 25 Washington St, Monroe, Mich

GOLDENBERG, BEN, 1023 Lafayette Bldg ....CHerry 0817

GOLDFINE, SAMUEL H., 1435 Lafayette Bldg ....CAdlac 3852

GOLDIN, NATHAN I., ‡ 957 First Nat Bk Bldg ....CAdlac 3292

GOLDMAN, DAVID, ‡ 1023 Lafayette Bldg ....CHerry 0817

GOLDSMITH, IRVING W., 1230 First Nat Bk Bldg....CHerry 8028

GOLDSMITH, RALPH R, ‡ 2150 First Nat Bk Bldg....CHerry 5366

GOLDSTEIN, CHARLES L, ‡ 512 Penobscot Bldg ....CAdlac 7028

GOLDSTEIN, GEORGE, ‡ 948 Penobscot Bldg (Associate of Harry H Mead) ....CAdlac 2038-9

GOLDSTEIN, LEWIS E., †‡ 3005 Barlum Tower (Associate — Wm H Gallagher) ....CAdlac 2755

GOLDSTICK, NATHANIEL H, 1417 Penobscot Bldg ....RAndlh 6177
Asst Corp Counsel....CHerry 9640
Counsel for Police Dept, Police Headquarters ....RAndlh 5700

GOLIGHTLY, R. M., 1530 Jay St..CHerry 8638

GOMBERG, EPHRAIM R, ‡ 3130 Un Guar Bldg ....RAndlh 1747

GOODALL & NEUBECK, 1077 Penobscot Bldg ....CAdlac 4933
Firm—R W Goodall, B G Newbeck

GOODALL, RALPH W, ‡ 1077 Penobscot Bldg (Goodall & Newbeck) ....CAdlac 4933

GOODE, BEN L, ‡ 5235 Grand River ....GArfld 2640

GOODELL, FREDERICK, ‡ 407 Det Life Bldg ....RAndlh 0476

GOODENOUGH, LUMAN W, *†‡ 2046 Penobscot Bldg (Goodenough, Voorhies, Long & Ryan) ....CAdlac 8850

GOODENOUGH, VOORHIES, LONG & RYAN, 2046 Penobscot Bldg....CAdlac 8850
Firm—L W Goodenough, P W Voorhies, Irvin Long, Mack Ryan, R A McNair, F A Carey
Associates—R G Grylls, Paul Franseth, W R Althans

GOODMAN, EDWARD H., JR., 924 Ford Bldg (Associate — Walters, Carmichael & Head) ....RAndlh 6373-4

GOODMAN, ERNEST, ‡ 2710 Stott Building (Collier, Goodman & Simon) ....CAdlac 4954

GOODMAN, HAROLD, ‡ 526 Dime Bk Bldg ....CAdlac 1746

GOODMAN, HAROLD J, ‡ 1004 Hammond Bldg ....CHerry 7790

GOODNOW, NATHAN B, ‡ 2746 Penobscot Bldg (Associate—Dykema, Jones & Wheat)....CHerry 6040

GOODRICH, CHARLES E, *‡ 1365 Cass Ave (Legal Dept, Mich Bell Tel Co) ....CHerry 9900

GOODRICH, EDWARD T, ‡ 3266 Penobscot Bldg (Associate—Milburn & Semmes) ....CAdlac 2385

GOODRICH, HUNTER C., ‡ 920 Lafayette Bldg ....RAndlh 5454

GOODWIN, JOSEPH H, 1655 Union Guar Bldg ....RAndlh 1355

GORDON, HON. ARTHUR E., †‡ Municipal Court Bldg (Judge, Recorder's Court) ....CHerry 7440

GORDON, BENJAMIN B., ‡ 1224 First Nat Bk Bldg....CAdlac 2951

GORDON, DONALD H., ‡ 1031 Dewey Ave ....MAdson 7890

GORDON, SANFORD N, 73 W Forest Ave (Associate—H B Graves and C H Hatch)....COlmba 5796

GOTHELF, BELLE W, 2232 First Nat Bk Bldg (Associate of Lawhead & Kenney) ....CAdlac 1420

GOTTFURCHT, LEO, ‡ 1363 First Nat Bk Bldg ....CHerry 1844

GOTTLIEB, LOUIS A., ‡ 1602 Barlum Tower ....CAdlac 7533

GOULD, ARTHUR I, ‡ 1663 Penobscot Bldg ....RAndlh 6975

GOULD, MICHAEL, 513 Fidelity Bldg ....RAndlh 3468

GOWANS, WILLIAM D., ‡ 903 W Gd Blvd (White Star Ref Co)....LAfyte 3400

GRABOWSKI, ALEXANDER J., ‡ 8007 Harper Ave....PLaza 7636

GRAHAM, DOUGLAS A, *†‡ 1833 Dime Bk Bldg ....CAdlac 0050

GRAHAM, FLOYD M., 1911 Dime Bk Bldg ....CAdlac 3326

GRAHAM, NEILL E., 2423 Barlum Tower ....CAdlac 3996

GRAHAM, SIDNEY D., 2423 Barlum Tower ....CAdlac 3996

GRANSE, WALDO C., †‡ 1442 Majestic Bldg (Schmalzreidt, Frye, Granse & Frye)....RAndlh 7600

GRANSE, WILLIAM H, †‡ 2822 Un Guar Bldg (Member — Warren, Hill, Hamblen, Essery & Lewis ....RAndlh 6485

GRASS, MORTON M, 401 Guaranty Bldg ....CAdlac 2220

GRATTAN, OSWALD C., ‡ (Legal Dept, Old First Nat Bk), Mich Ave-Griswold Branch ....CHerry 8700

GRAVES, H B & HATCH, C H, 73 W Forest Ave....COlmba 5796
Firm—H B Graves, C H Hatch
Associates—H W Smith, S N Gordon

GRAVES, HENRY B, †‡ 73 W Forest Ave (H B Graves and C H Hatch) ....COlmba 5796

GRAWN, CARL B, *†‡ 1526 Dime Bank Bldg....RAndlh 3050

GRAY, ELMER J., 2563 Un Guar Bldg. ....CHerry 6410
(Dike, Calver & Gray)

GRAY, GEORGE A, 500 Police Headq't'rs, 1300 Beaubien St (Special Ass't Pros Att'y—Wayne County) ....RAndlh 9260

GREDZINSKI, K. S., ‡ 7124 Mich Ave ....VInewd 1-4426

GREEN, ALBERT, 1564 First Nat Bk Bldg....CAdlac 4917

GREEN, JAMES E, City Hall, Dearborn, Mich (City Atty)....ORegon 1200

GREEN, MANNING S, ‡ 410 Hammond Bldg (Associate of Chas E George)....RAndlh 3671

GREENBAUM, SAMUEL R, 804 Hammond Bldg (Associate Irwin I. Cohn)....RAndlh 3250

GREENBERG, ALAN, ‡ 2729 Barlum Tower....CAdlac 9890

GREENBERG, HERMAN H, 511 Hammond Bldg....CAdlac 8628

GREENBERG, JACK L., ‡ 926 First Nat Bk Bldg....CAdlac 3230

GREENBERG, SAMUEL S, ‡ 3233 Barlum Tower....RAndlh 3233

GREENE, EVELYN A, ‡ 404 Hammond Bldg....CAdlac 4632

GREENE, JAMES E, Am State Bk Bldg, Dearborn, Mich....DEarbn 0282
Corp Counsel, City of Dearborn....ORegon 1200

GREGORY, DAVID E., ‡ 302 Professional Bldg (Gregory & McManus)....TEmple 1-2345

GREGORY, J. M., 519 E Forest Ave....COlmba 1941

GREGORY & McMANUS, 302 Professional Bldg....TEmple 1-2345
Firm—D E Gregory, L C McManus

GREINER, WALDO K., †‡ 3114 Un Guar Bldg (Associate—Lucking, Van Auken & Sprague)....RAndlh 6420

GREVER, ALBERT R, 1521 First Natl Bk Bldg (Associate—Meisner & Meisner)....CAdlac 2667

GRIFFEN, BRUCE W., 824 Wash Blvd Bldg....RAndlh 5380

GRIFFEN, HEAL & EMERY, 1272 First Nat Bk Bldg....CAdlac 4237
Firm—W J Griffen, R H Heal, J C Emery
Associates—H Y Poplin, J E Frazer, W S Steiner

GRIFFEN, WILLIAM J, *†‡ 1272 First Nat Bk Bldg (Griffen, Heal & Emery)....CAdlac 4237

GRITZBAUGH, EDWARD C, * [MP] 7-141 Gen Motors Bldg (Member—Harness, Dickey, Pierce & Hann)....MAdson 2300

GROAT, HON. GERALD W., ‡ Room 107 County Bldg (Presiding Judge, Common Pleas Court)....RAndlh 2370

GROEFSEMA, ELMER H., †‡ 2302 Buhl Bldg (Bresnahan & Groefsema)....CAdlac 6724

GROEHN, HAROLD G., ‡ 3027 Barlum Tower (Associate—H A Donnelly)....CAdlac 8845

GROESBECK, ALEX J, *†‡ 1801 Dime Bk Bldg....RAndlh 6341
Associates—Hugh Francis, Lawrence Rothenberg, Wm. Van Dyke, Margaret Simmons

GRONKOWSKI, NICHOLAS S., 9251 Jos Campau Ave....MAdson 9595

GROSNER & BURAK, 782 Penobscot Bldg....CAdlac 0415
Firm—S S Grosner, J S Burak

GROSNER, SYLVAN S, ‡ 782 Penobscot Bldg (Grosner & Burak)....CAdlac 0415

GROSS, CHAS. E. [MP], 3053 Penobscot Building (Associate—Whittemore, Hulbert, Whittemore & Belknap)....RAndlh 6192

GROSS, J ERNEST, ‡ 501 Architects Bldg 415 Brainard St....

GROSS, WILLIAM H. [AP] [MP], 3053 Penobscot Bldg (Whittemore, Hulbert, Whittemore & Belknap)....RAndlh 6192

GROSSMAN, HARRY C., ‡ Pontiac, Mich (Gen Motors Truck Corp)

GROSSMAN, HARRY N., ‡ 926 First Nat Bk Bldg....CAdlac 5543

GROVER, WM. R., 5981 Woodward Ave....MAdson 4537

GRYLLS, R GERVEYS, †‡ 2046 Penobscot Bldg (Associate—Goodenough, Voorhies, Long & Ryan)....CAdlac 8850

GUHL, WALTER L., 4846 Dailey St....GArfld 4272

GUIDOT, MARSHALL, 707 Ford Bldg....CAdlac 7832

GUINEY & GUINEY, 1548 Penobscot Bldg (H B and J O Guiney)....CAdlac 7574

GUINEY, HURD B, † 1548 Penobscot Bldg (Guiney & Guiney)....CAdlac 7574

GUINEY, J OWEN, ‡ 1548 Penobscot Bldg (Guiney & Guiney)....CAdlac 7574

GULLEN, EARL K., ‡ 2423 W Warren Ave....EUclid 5747

GULLEN, GEORGE E, 500 Police Headq't'rs, 1300 Beaubien St (Ass't Pros Att'y—Wayne County)....RAndlh 9260

GURWIN, SAMUEL L., ‡ 909 Majestic Bldg....CHerry 8131

GUSSIN, CARL, ¶ 1417 First Nat Bk Bldg (Associate of Max Kahn)....CAdlac 2246-7-8-9

GUST, ROCKWELL T., *‡ 2288 First Nat Bk Bldg (Member—Stevenson, Butzel, Eaman & Long)....CHerry 8142

GVAZDA, MAX, 400 Lawyers Bldg (Gvazda & Shere)....CAdlac 5770

GVAZDA & SHERE, 400 Lawyers Bldg....CAdlac 5770
Firm—Max Gvazda, C H Shere

H

HAASS, ERWIN H, † 2559 Un Guar Bldg (Hitt, Brewer & Haass)....CHerry 3330

HAASS, OTTO E. (Legal Dept.—First Nat Bank, Detroit), Mich-Griswold Office....CHerry 8700

HAASS, WALTER F., †‡ 1726 Dime Bk Bldg (Race, Haass & Allen)....CAdlac 2275

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

HACKETT, ANNE M, ‡ 305 Guaranty Bldg (Associate—Otto Schultz and F R Watson)....CAdlac 2684

HADDAD, GEORGE M, Suite 201-2 11601 E Jefferson Ave....LEnox 6223

HAGGARTY, GEORGE, ‡ 3000 Un Guar Bldg (Associate—Bulkley, Ledyard, Dickinson & Wright)..RAndlh 5860

HAGUE, GLENN C, ‡ 844 Penobscot Bldg....RAndlh 7500

HAGUE, WILLIAM H, ‡ 617 Penobscot Bldg (Associate of Miller, Baldwin & Boos)....CAdlac 6074-5-6

HAILER, FRITZ, ‡ 814 Hammond Bldg....CHerry 0760

HAINES, ALBERT W, ‡ 402 Penobscot Bldg....RAndlh 8257

HAINES, GEORGE J, ‡ 722 Ford Bldg....RAndlh 8549

HALES, GRANT M, 2329 First Nat Bk Bldg....RAndlh 9300-1

HALL, PHIL D., ‡ Detroit Trust Co, 201 W Fort St....RAndlh 5670

HALL, THERON M, ‡ 806 Dime Bk Bldg (Hatfield, Hall & Wood)....CAdlac 1940

HALL, WALLACE C, †‡ 1480 Penobscot Bldg....RAndlh 3389

HALLER, GEORGE D, *†‡ 1601-13 Dime Bk Bldg (Associate—Lightner, Hanley, Crawford, Sweeny & Dodd)....CAdlac 0200

HALLOREN, WILLIAM J., 1026 Lafayette Bldg....CAdlac 4541

HALLY, P J M, ‡ 1750 First Nat Bk Bldg (Jeffries, Krause & Hally)....CHerry 0888-9

HALPERT, SAMUEL C, ‡ 526 Dime Bk Bldg....CAdlac 1746

HAMBLEN, JOSEPH G JR, †‡ 2822 Un Guar Bldg (Warren, Hill, Hamblen, Essery & Lewis)....RAndlh 6485

HAMBORSKY, ALADAR H, ‡ 8100 W Jefferson Ave....VInewd 2-4530

HAMILL & MEUNCHINGER, 613 Hammond Bldg....CHerry 5709
Firm — W J Hamill, H W Meunchinger

HAMILL, WILLIAM J., ‡ 613 Hammond Bldg (Hamill & Meunchinger)....CHerry 5709

HAMILTON, JOHN A., 1535 Dime Bk Bldg....CAdlac 1984

HAMMOND, LAWRENCE J, 3156 Penobscot Bldg (Associate—Fildew & DeGree)....CAdlac 9700-1-2

HAMPTON, VICTOR H, ‡ 1546 Penobscot Bldg (Coulter & Hampton)....CAdlac 9055

HANDLOSER, ANTHONY E., 1435 Majestic Bldg.....CAdlac 7907

HANEY, F. CHESTER, ‡ 1005 Lafayette Bldg....CHerry 1449

HANLEY, HARRY C, 513 Fidelity Bldg....RAndlh 3468

HANLEY, ROBERT J., ‡ 601 Majestic Bldg....CAdlac 6767

HANLON, HAROLD, †‡ 1817 Dime Bk Bldg....CAdlac 9427

HANN, WILLIAM E, [MP] 7-141 Gen Motors Bldg (Harness, Dickey, Pierce & Hann)....MAdson 2300

HANNICK, JUSTIN M, 707 Ford Bldg....CAdlac 7832

HANSEN, ALFRED A E, † 1828 Michigan Ave....CHerry 7587

HANSEN, GEORGE O, 1532 Un Guar Bldg....CAdlac 4719

HARBAUGH, W DAVIDSON, 806 Dime Bk Bldg (Associate—Hatfield, Hall & Wood)....CAdlac 1940

HARBISON, H. H., ‡ 1480 Penobscot Bldg....RAndlh 3389

HARCOURT, WILLIAM J, 922 Mich Theatre Bldg....CAdlac 2740

HARDESTY, FRANCIS D, ‡ [MP] 1403 Ford Bldg (Swan, Frye & Hardesty)....RAndlh 2680

HARDING, HARRY R, 27th Fl Un Guar Bldg (Clark, Klein, Ferris & Cook)....RAndlh 5090

HARE, A H, § 3404 Barlum Tower (Gillespie & Hare)....CAdlac 0106

HARLAN, DON M, ‡ 725 Penobscot Bldg....CAdlac 7984

HARLAN, MARION S, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris)....RAndlh 1903

HARMON, HENRY W., ‡ 1005 Lafayette Bldg....CAdlac 0937

HARMON, J REX, 3415 Barlum Tower....CAdlac 6215

HARMS, WILLIAM T JR, 203 Hammond Bldg....CAdlac 5768

HARNESS, DICKEY, PIERCE & HANN, 7-141 Gen Motors Bldg....MAdson 2300
Firm—J K Harness, A W Dickey, H S Pierce, W E Hann, P F Seibold, E C Gritzbaugh, T J Nienhaus
Associate—Donald G Lambert

HARNESS, J KING, ‡ [MP] 7-141 Gen Motors Bldg (Harness, Dickey, Pierce & Hann)....MAdson 2300

HARPER, DAVID N, 203 Hammond Bldg....CAdlac 5768

HARRELL, MAURICE T, ‡ 339 N Tenth St, Noblesville, Ind

HARRINGTON, LOUIS R, ‡ 8557 Jos Campau....MAdson 6894

HARRIS, BEN M, 932 Lafayette Bldg....CAdlac 2665

HARRIS, EMANUEL J, ‡§ 1612 Un Guar Bldg (Associate—Wm O Kronner)....CAdlac 9217-8-9

HARRIS, HAROLD N, *†‡ 910 Majestic Bldg....Cherry 1232

HARRIS, HERBERT L., † 3327 Barlum Tower....RAndlh 4765

HARRIS, JULIAN H, Deceased June 19, 1933 (Beaumont, Smith & Harris)

HARRIS WILLIAMS C., *†‡ 1266 Penobscot Bldg....CHerry 0300

HARRISON, HARRY A., 6415 W Fort St....VInewd 1-3746

HARSHMAN, HOLLIS, 511 Hammond Bldg....CAdlac 8628

HART, RAYMOND B, ‡ 1209 Washington Bldg, 2nd Fl (Legal Dept—Mich Mutual Liability Co)....CHerry 4808

HART, RUSSELL A., 1917 Dime Bk Bldg....RAndlh 8772

HART, WAYNE, 1580 E. Grand Blvd (Asst Pat Counsel, Packard Motor Car Co)....WHiter 5600

HARTFORD, LEO, 503 Guaranty Bldg....CHerry 1427

HARTMAN, HARRY, ‡ 1959 First Natl Bk Bldg....CAdlac 4923

HARTMAN, HUBERT E, ‡ 2205 Dime Bk Bldg (Slyfield, Hartman, Mercer & Reitz)....CHerry 4781

HARTMANN, AUGUST J., ‡ 1202 Stott Bldg....RAndlh 3087

HARTZ, ARNOLD C, 705 First Nat Bk Bldg (Taylor, Robertson & Hartz) ... CAdlac 0032

HARWARD, FREDERIC T, *†‡ 1103 Ford Bldg ... Randlh 1668

HASS, ARTHUR J., †‡ 1826 Buhl Bldg ... CAdlac 4004

HATCH, CHARLES H, *‡ 73 W Forest Ave (H B Graves and C H Hatch) ... COlmba 5796

HATFIELD, C W, 806 Dime Bk Bldg (Hatfield, Hall & Wood) ... CAdlac 1940

HATFIELD, HALL & WOOD, 806-10 Dime Bk Bldg ... CAdlac 1940
Firm—C W Hatfield, T M Hall, E C Wood
Associates—A W Jacquemain, F E Hoops, W D Bollinger, J E Littell, W D Harbaugh

HATHAWAY, STANLEY E., 1926 Bk Bldg ... RAndlh 4210

HAVEN, DELANCEY C, 611 Hammond Bldg ... RAndlh 4648

HAWKINS, LOUIS F., 1917 Dime Bk Bldg ... RAndlh 1969

HAYDEN, MERRITT U, ‡ 640 Temple Ave (Standard Acc't Ins Co) ... TEmple 1-8100

HAYES, DENNIS B, ‡ 1047 Free Press Bldg (Hayes & Maurer) ... CAdlac 9666

HAYES, EVERETT F., ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ... RAndlh 3142

HAYES, IRA, 1216 Eaton Tower (Schwemler & Hayes) ... CAdlac 3300

HAYES, LAWRENCE, 1336 Brush St (Associate—Roxborough & Taliaferro) ... CLifrd 4280

HAYES & MAURER, 1047 Free Press Bldg ... CAdlac 9666
Firm—D B Hayes, H R Maurer

HEAD, CASHAN P., †‡ 924 Ford Ford Bldg (Walters, Carmichael & Head) ... RAndlh 6373-4

HEAL, ROE H, *†‡ 1272 First Nat Bk Bldg (Griffen, Heal & Emery) ... CAdlac 4237

HEALY, C WALTER, 609 Fidelity Bldg (Public Administrator—Wayne County) ... CAdlac 3818

HEALY, HON. D. J. Jr., ‡ County Bldg (Judge, Probate Court) ... RAndlh 2370

HEALY, D J, ‡ 709 Guaranty Bldg Bldg (Healy & Sheehan) ... CAdlac 1717

HEALY & SHEEHAN, 709 Guaranty Bldg ... CAdlac 1717
Firm—D J Healy, Jr, G J Sheehan

HECKER, MOLLIE, ‡ 728 Penobscot Bldg (Associate—Sidney L Alexander) ... CHerry 6610-11

HECKER, RICHARD H., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) ... CHerry 8142

HEDGES, O W, 1002 Hammond Bldg ... RAndlh 1790

HEENAN, EARL I., *†‡ 302 Lexington Bldg ... MAdson 5400
Associate—Harry Cohen

HEGGBLOM, UNO S A, 1005 Cadillac Sq Bldg ... RAndlh 1826

HEIDEMAN, GEORGE H, 1555 Un Guar Bldg ... CHerry 5770

HEIDT, RICHARD C, 825 Hammond Bldg ... RAndlh 3158

HELFMAN, HARRY, †‡ 1817 Dime Bk Bldg ... CAdlac 9427

HELM, GEORGE H, *†‡ 3380 Penobscot Bldg (Carey, Armstrong, Weadock & Essery) ... RAndlh 8710

HELMIG, G. C., 11th Fl Gen Motors Bldg (Patent Section—Gen Motors Corp) ... TRinty 2-4600

HELPER, HAROLD, †‡ 2260 First Nat Bk Bldg (Associate of Freedman & Drexelius) ... RAndlh 7836

HEMANS, CHARLES F., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) ... CHerry 8142

HEMBREE, JOHN R, JR, 1005 Cadillac Sq Bldg ... CAdlac 0522

HENDERSON, HARRY, †‡ 1233 Majestic Bldg ... CHerry 9439

HENDERSON, JAMES A., Saulte Ste Marie, Mich (Formerly—Wilds, Raymond & Henderson)

HENNES, WILLIAM J., ‡ 13708 Mich Ave, Dearborn ... ORegon 6011

HENRY, THEO F, ‡ 2517 Cass Ave ... CAdlac 7961

HEPBURN, FRANKLIN D, 2902 Un Guar Bldg ... RAndlh 6655

HERLEHY, EDWARD C., 516 Free Press Bldg (Herlehy & Thornton) ... RAndlh 6471

HERLEHY & THORNTON, 516 Free Press Bldg ... RAndlh 6471
Firm—E. C. Herlehy, T. P. Thornton

HERSCH, ALVIN D, *†‡ 1845 First Nat Bk Bldg (Dohany & Hersch) ... RAndlh 0587-8

HERSH, DAVID A, ‡ 1750 First Nat Bk Bldg (Associate of Jeffries, Krause & Hally) ... CHerry-0888-9

HESSE, ROBERT J., 2914 Eaton Tower ... RAndlh 0870

HETCHLER, ALBERT J, 203 Hammond Bldg ... CHerry 9274

HICKLING, HOMER H, 1320 Dime Bk Bldg ... RAndlh 6929

HICKS, DORIS M., 1220 Free Press Bldg (Associate—S. A. Erwin) RAndlh 0155

HICKS, JOHN W. L. 1505 Cadillac Sq Bldg ... RAndlh 6833

HICKS, LOWERY B., 1505 Cadillac Sq Bldg ... RAndlh 6833

HICKS, RICHARD A, ‡ 22000 Michigan Ave, Dearborn ... DEarbn 0232

HIGGINS, JOHN T., ‡ 1632 Buhl Bldg (Wurzer & Higgins) ... CAdlac 5862

HIGGINSON, JOHN F., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) ... CHerry 8142

HILL, CLARENCE G, ‡ 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) ... Randlh 6300

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

HILL, SHERWIN A, †‡ 2822 Un Guar Bldg (Warren, Hill, Hamblen, Essery & Lewis) ....RAndlh 6485

HILL, STUART W., ‡ 2161 Un Guar Bldg ....CAdlac 3732

HILTON, FRANCIS A, 665 Putnam Ave ....COlmba 1394

HINDES, JOHN W, 1221 First Nat Bk Bldg (Associate—Pliny W Marsh) ....CAdlac 1314

HINKS, FRANK T, 2146 Penobscot Bldg (Lynch, Rosenberg & Hinks) ....CAdlac 5774-8484

HITT, BREWER & HAASS, 2559 Un Guar Bldg ....CHerry 3330
Firm—C B Hitt, C D Brewer, E H Haass
Associate—R H Kohler

HITT, C BRADFORD, 2559 Un Guar Bldg (Hitt, Brewer & Haass) ....CHerry 3330

HITT, ELDRIDGE, ‡ 1540 First Natl Bk Bldg ....CHerry 2760

HOFELICH, RUDOLPH E., †‡ 10th Fl Un Guar Trust Co....CHerry 9300

HOFFMAN, OTTO A., † 13732 Mich Ave, Dearborn....ORegon 1618
Associate—Orville L. Hubbard

HOLIHAN, ARCHIE F., 1201 Det Sav Bk Bldg ....RAndlh 7940

HOLLAND, GEO W, 751 Griswold St ....CHerry 5810

HOLMES, ROY G., ‡ (Legal Dept—Old First Natl Bk) Mich Ave-Griswold Branch ....CHerry 8700

HOLT, RICHARD W, ‡ 1818 Un Guar Bldg ....CHerry 6900

HOME C. DOUGLAS, 8161 W Vernor Highway ....VInewd 1-4912

HONIGMAN, JASON L, ‡ 2003-12 Dime Bank Bldg (Associate—Sempliner, Dewey, Stanton & Bushnell ....CAdlac 2940

HOOPS, FRANK E, 806 Dime Bk Bldg (Associate—Hatfield, Hall & Wood) ....CAdlac 1940

HOPPING, LOUIS M, 516 Lafayette Bldg (Chief Clerk and Ass't U. S. Attorney) ....CAdlac 5830-1-2-3-4

HORR, CHARLES W, Jr, 1825 Dime Bk Bldg ....CAdlac 1290

HORWITZ, J SHURLY, †‡ 2378 First Nat Bk Bldg (Partner—Bryant, Lincoln, Miller & Bevan) ....RAndlh 8620

HORWOOD, MAX H., 1306 Dime Bk Bldg ....CHerry 6826

HOTCHKISS, ERNEST W., †‡ 441 E Jefferson Ave ....RAndlh 2260

HOUGH, C. W., †‡ 3103 Barlum Tower ....CAdlac 3757

HOUSE, HOWARD D., ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ....RAndlh 3142

HOWARD, MARK, 2865 Un Guar Bldg ....CAdlac 8375

HOWBERT, EDGAR C., ‡ 3000 Un Guar Bldg (Associate—Bulkley, Ledyard, Dickinson & Wright) RAndlh 5860

HOWE, GEORGE L, ¶ 2232 First Nat Bldg (Associate of Lawhead & Kenney) ....CAdlac 1420

HOWELL, DAVID A, ‡ 34th Fl, Un Guar Bldg (Emmons, Oren & Sleeper) ....CHerry 1650

HOWEY, STEPHEN, 816 Wash Blvd Bldg ....RAndlh 5380

HOYT, HOBART B, †‡ 3012 Un Guar Bldg ....RAndlh 1251

HOYT, HOBART D., ‡ 10th Fl Un Guar Trust Co ....CHerry 9300

HUBAR, DAVID I, *†‡ 1117 Penobscot Bldg ....CAdlac 8090

HUBBARD, ORVILLE L., †‡ 528 Murphy Bldg ....CAdlac 2584
Associate—Otto A. Hoffman

HUBBELL, STUART D, 317 Hammond Bldg ....CAdlac 1044

HUDDLESTON, C JOHNSTON, †‡ 1928 Buhl Bldg (Member—Anderson, Wilcox, Lacy & Lawson) CAdlac 3650

HUDOCK, A. A., ‡ 2529 Barlum Tower ....CHerry 6774

HUFFMAN, H. RAYMOND, ‡ 1408 Washington Blvd (Atty, Morris Plan Bank) ....RAndlh 8760

HUGHES, BEN C, *†‡§ 2324 First Nat Bk Bldg ....CHerry 4488

HUGHES, EDWARD JAY, 1235 Lafayette Bldg ....CAdlac 4095

HUGHES, THOMAS J, 748 Buhl Bldg (Associate of Longley, Bogle & Middleton) ....CHerry 0920

HULBERT, HON. HENRY S., ‡ County Bldg (Judge, Probate Court) ....RAndlh 2370

HULBERT, L. GAYLORD, [AP] [MP] 3053 Penobscot Bldg (Whittemore Hulbert, Whittemore & Belknap) ....RAndlh 6192

HULBERT, PRESCOTT M., 3053 Penobscot Bldg (Whittemore, Hulbert, Whittemore & Belknap) .... RAndlh 6192

HULBURT, B. E., 806 Empire Bldg ....RAndlh 6190

HULETT, MAX, 721 Hammond Bldg (Axford & Hulett) ....RAndlh 7211

HULL, LEROY M., ‡ Fort-Shelby Office Old First Natl Bk....CHerry 8700

HULL, OSCAR C, *†‡ 1104 Dime Bk Bldg (Oxtoby, Robison & Hull) ....RAndlh 5210

HUMPSCH, ERIC E, 2nd Fl Transportation Bldg (Great Lakes Casulaty Co) ....CAdlac 7740

HUNT, E REED, 1746 Penobscot Bldg (Hunt & Field) ....CAdlac 5666

HUNT & FIELD, 1746 Penobscot Bldg ....CAdlac 5666
Firm—E Reed Hunt, G Leslie Field
Associate—Morris Cohn

HUNT, JAMES J, 1928 Buhl Bldg (Associate — Anderson, Wilcox, Lacy & Lawson) ....CAdlac 3650

HUNT, HON. ORMOND F., ‡ County Bldg (Judge, Wayne County Circuit Court) ....RAndlh 2370

HUNT, R BROMLEY, 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) ....RAndlh 1204

HURLEY, JOHN W, § 1002 Lafayette Bldg ....CAdlac 8962-3

HUTTING, JOS. L., 607 Shelby St. CAdlac 5296

HYDE, DONALD F, ¶ 2104 Dime Bk Bldg (Associate — Angell, Turner, Dyer & Meek) ....CAdlac 5470

HYDE, MAX, 678 Bates....RAndlh 4334

I

IDE, O. Z., ‡ 1026 Lafayette Bldg CAdlac 2870
Associate—Albert J. Silber.

IMERMAN, SIDNEY J, ‡ 1604 Un Guar Bldg (Jaulus & Imerman) CHerry 1615

INGALLS, VANCE G, ‡ 301 City Hall ... CHerry 9640
Ass't Corporation Counsel) ... CHerry 1260

IVES, CHARLES F., †‡ 2902 Un Guar Bldg ... CHerry 1310

J

JACKSON, HARRY G, ‡ 303 Murphy Bldg, Highland Park ... LOngfw 4356

JACKSON, JOSEPH, ‡ 2070 Penobscot Bldg (Associate—Geo G Mead) ... CAdlac 1245

JACOBS, SEYMOUR A, 1001 Barlum Tower ... CAdlac 8866

JACOBS, SYDNEY A, *†‡ 27th Fl Un Guar Bldg (Clark, Klein, Ferris & Cook) ... RAndlh 5090

JACQUEMAIN, ARNOLD W, 806 Dime Bk Bldg (Associate—Hatfield, Hall & Wood) ... CAdlac 1940

JACQUES, THOMAS A., ‡ 302 County Bldg (Deputy Probate Register) ... RAndlh 2370

JAFFE, BENJAMIN, 1827 Stott Bldg ... RAndlh 0001

JAMES, NORMAN S., 2024 Fort St., Lincoln Park ... ATlaic 0119

JAMIESON, ROBERT G., ‡ 600 United Artists Bldg (Associate—Howard D. Brown) ... CHerry 2911

JANES, SIMEON, ‡ 505 Basso Bldg MAdson 2228

JANIGA, GEORGE F., ‡ 350 E. Congress St ... RAndlh 9800

JANOVER, HARRY H., ‡ 713 Dime Bk Bldg ... CAdlac 3186

JAULUS & IMERMAN, 1604 Un Guar Bldg ... CHerry 1615
Firm—Sigmund Jaulus, S J Imerman

JAULUS, SIGMUND, ‡ 1604 Un Guar Bldg (Jaulus & Imerman) CHerry 1615

JAYNE, HON. IRA W., ‡ County Bldg (Judge, Wayne County Circuit Court) ... RAndlh 2370

JEFFERSON, JOHN G., 877 Penobscot Bldg ... RAndlh 1164

JEFFRIES, HON. EDWARD J., ‡ Municipal Court Bldg (Judge Recorder's Court) ... CHerry 7440

JEFFRIES, EDW J, Jr, ‡ 1750 First Nat Bk Bldg (Jeffries, Krause & Hally) ... CHerry 0888-9
Also—Maccabees Bldg ... COlmba 1230

JEFFRIES, HON. JAMES M., ‡ Rm 123 County Bldg (Judge, Common Pleas Court) ... RAndlh 2370

JEFFRIES, KRAUSE & HALLY, 1750 First Nat Bk Bldg ... CHerry 0888-9
Firm—E J Jeffries, Jr, P E Krause, P J M Hally
Associate—D A Hersh

JEMAL, ALEXANDER J, ‡ 12504 E. Jefferson Ave ... LEnox 4114

JENNINGS, HARRY P., 2563 Un Guar Bldg. ... CHerry 6410
(Associate—Dike, Calver & Gray)

JENNINGS, W. CROFT, ‡ 3000 Un Guar Bldg (Associate—Bulkley, Ledyard, Dickinson & Wright) ... RAndlh 5860

JENSEN, GUY W, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Atty, Wayne County) ... RAndlh 9260

JEWELL, W RALPH, 5037 Chene St (Resh & Jewell) ... PLaza 1894

JIRASEK, JOSEPH., *‡ 1104 Lafayette Bldg ... RAndlh 0797

JOHNSON, GEORGE C, 1906 Dime Bk Bldg (Associate—Pear, Beattie & Langs) ... CHerry 1883

JOHNSON, HARRY F, ‡ 10th Fl, Fidelity Bldg (Am Life Ins Co) RAndlh 4280

JOHNSON, LESTER L., ‡ 307 Majestic Bldg ... CAdlac 7513

JOHNSON, OREN A, 500 Police Headquarters, 1300 Beaubien St Ass't Pros-Atty, Wayne Co) ... RAndlh 9260

JOHNSON, O. WILLIAM, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Atty, Wayne Co) ... RAndlh 9260

JOHNSON, SHIRLEY T., †‡ 600 Fidelity Bldg (Associate—Yerkes, Goddard & McClintock) ... RAndlh 1916

JOHNSON, WILLIAM H., 1500 Cadillac Sq Bldg ... CAdlac 8290

JOHNSTON, RAY B, ‡ 707 Guaranty Bldg ... CAdlac 0890

JOLLY, C. J., 11th Fl Gen Motors Bldg (Legal Dept—Gen Motors Corp) ... TRinty 2-4600

JOLLY, DENTON, 11th Fl Gen Motors Bldg (Legal Dept—Gen Motors Corp) ... TRnity 2-4600

JONAS, E. M., 1500 Cadillac Sq Bldg ... CAdlac 8290

JONES, ARTHUR, 402 Hammond Bldg ... CHerry 5966

JONES, ELROY O, *†‡ 2746 Penobscot Bldg (Dykema, Jones & Wheat) ... CHerry 6040

JONES, F. E., 11th Fl Gen Motors Bldg (Patent Section—Gen Motors Corp) ... TRinty 2-4600

JONES, HAROLD A., ‡ 607 Shelby St, Room 770 (Associate—John P. Neudorfer) ... CHerry 8588

JONES, HOWARD A, ‡§ 623 Transportation Bldg (Meier & Jones) CHerry 4150

JONES, LEON R, *‡ 1925 Dime Bk Bldg (Associate—Wiley, Streeter, Smith & Ford) ... CAdlac 4752

JONES, LESLIE T, †‡ 929 Penobscot Bldg (Robinson & Jones) .. CAdlac 4340

JONES, ORRIN C, †‡¶ 3709 Barlum Tower (Associate—Geo E Brand) ... RAndlh 4949

JONES, PAUL C., 1553 Un Guar Bldg ... CAdlac 4316
Associate—Albert L Kelly

JONES, THOMAS G, 929 Penobscot Bldg (Associate of Robinson & Jones) ... CAdlac 4340

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

JORDAN, JOHN F, †‡ 1408 Ford Bldg (Jordan, Thomson & Schindler) .... CHerry 1990

JORDAN, THOMSON & SCHINDLER, 1408 Ford Bldg .... CHerry 1990
Firm—J F Jordan, T L Thomson, D A Schindler

JORGENSEN & ALEXANDER, 720 Det Sav Bk Bldg .... RAndlh 8986
Firm—Walter Jorgensen, W A Alexander, C C Matheny

JORGENSEN, WALTER, ‡ 720 Det Sav Bk Bldg (Jorgensen & Alexander) .... RAndlh 8986

JOSEPHSON, JOEL W, ‡ 1033 First Nat Bk Bldg .... CHerry 6539

JOSLYN, ALAN W, †‡ 3466 Penobscot Bldg (Joslyn, Joslyn & Joslyn) .... CAdlac 1224

JOSLYN, JOSLYN & JOSLYN, 3466 Penobscot Bldg .... CAdlac 1224
Firm—L E Joslyn, L E Joslyn, Jr, A W Joslyn
Associate—Laura J Robertson

JOSLYN, LEE E, *†‡ 3466 Penobscot Bldg (Joslyn, Joslyn & Joslyn) .... CAdlac 1224

JOSLYN, LEE E, Jr, *†‡ 3466 Penobscot Bldg (Joslyn, Joslyn & Joslyn) .... CAdlac 1224

JUNTUNEN, E. E. ‡ 748 Buhl Bldg (Associate—Longley, Bogle & Middleton) .... CHerry 0920

K

KAHN, MAX, ‡ 1417 First Nat Bk Bldg .... CAdlac 2246-7-8-9
Associates—L V Pylkas, J J Oldani, H S Loikrec, G W Lamphere, Carl Gussin

KAISER, HARRY A, § 3415 Barlum Tower .... CHerry 7262

KALASINSKI, ROSE, 701 Majestic Bldg .... CAdlac 5820-1

KANE, FRANK J., ‡ 1724 Ford Bldg .... RAndlh 1177

KANE, J GERALD, ‡ 34th Fl, Un Guar Bldg (Emmons, Oren & Sleeper) .... CHerry 1650

KAPLAN, LAWRENCE L, 702 Lawyers Bldg .... CHerry 6740

KAPLAN, NATHAN N, 1732 Buhl Bldg (Finkelston, Lovejoy & Kaplan) .... RAndlh 1260

KAPLAN, WILLIAM H., 3005 Barlum Tower (Associate—Wm. H. Gallagher) .... CAdlac 2755

KARAY, EMMANUEL N., ‡ 3126 Un Guar Bldg (Meginnity & Karay) CAdlac 6838

KARBEL, SIDNEY J, 804 Hammond Bldg (Associate—Irwin I Cohn) .... RAndlh 3250

KARWOWSKY, HENRY, *†‡ 12044 Jos Campau

KASHMERICK, M WILLIAM, ‡ 10315 Jos Campau Ave .... MAdson 2939

KASIN, HENRY D., †‡ 1957 First Natl Bk Bldg .... CAdlac 6879

KASOFF, IRWIN J., 744 Buhl Bldg .... CAdlac 0407

KASS, HERMAN, 1938 Dime Bank Bldg .... RAndlh 6050

KATES, JAMES A, ‡ 401 Guaranty Bldg .... CAdlac 2998

KATZ, GEORGE, 800 Penobscot Bldg .... RAndlh 2531

KATZ, J. LEON, 1957 First Natl Bk Bldg .... CHerry 1808

KATZMAN, HARRY C., † 3217 Barlum Tower .... CHerry 6438

KAUFFMAN, J. C., 6-213 Gen Motors Bldg (Gen. Atty—Pere Marquette R R) .... MAdson 8600

KAUFFMAN, J DEL ‡ 10932 Grand River Ave .... HOgrth 5722

KAUFMAN, NATHAN J., 1023 Lafayette Bldg .... CHerry 0817

KAUFMAN, WILLIAM, 3101 Barlum Tower .... RAndlh 5166

KAVANAGH, THOMAS M, † 418 Penobscot Bldg .... RAndlh 2931

KAY, LEON S., 2462 First Natl Bk Bldg .... RAndlh 1095

KAYNE, SAMUEL A., ‡ 3327 Barlum Tower .... CAdlac 8870

KEENE, SAMUEL B, 515 Barlum Tower.... (Associate — Maurice Sugar) .... CAdlac 8399

KEIDAN, HON. HARRY B., †‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

KEIDAN, S BAER, 2302 First Nat Bk Bldg .... CAdlac 2490-1

KEITHLEY, GEORGE W., †‡ 600 Fidelity Bldg (Associate—Yerkes, Goddard & McClintock) .... RAndlh 1916

KELLER, HARRY R., 601 Majestic Bldg .... CAdlac 6767

KELLER, LEONARD A., ‡ 1022 Ford Bldg (Associate—Lewis & Watkins) .... RAndlh 3674

KELLEY, EDWARD T, ‡ 2437 First Nat Bk Bldg (Associate—Monaghan, Crowley, Reilley & Kellogg) .... CAdlac 0473

KELLEY, FRANK L., ‡ 501 Fisher Bldg (Claim Dept—Royal Ind Co) .... TRinty 2-3300

KELLOGG, CLARENCE, †‡ 2437 First Nat Bk Bldg (Monaghan, Crowley, Reilley & Kellogg) .... CAdlac 0473

KELLOGG, MARION K, †‡ 2450 Penobscot Bldg .... CAdlac 4090

KELLY, ALBERT L, 1553 Un Guar Bldg (Associate of Paul C Jones) .... CAdlac 4316

KELLY, EMMET J, †‡ 2444 First Nat Bk Bldg (Kelly, Kelly & Kelly) .... CAdlac 3222

KELLY, GEORGE A., *†‡ 1406 Dime Bk Bldg .... RAndlh 6550-1

KELLY, HARRY F, †‡ 500 Police Headquarters, 1300 Beaubien St .... RAndlh 9260
(Asst Pros Atty, Wayne County)
(Kelly, Kelly & Kelly, 2444 First Nat Bk Bldg) .... CAdlac 3222

KELLY, HENRY M, †‡ 2444 First Nat Bk Bldg (Kelly, Kelly & Kelly) .... CAdlac 3222

KELLY, KELLY & KELLY, 2444 First Nat Bk Bldg .... CAdlac 3222
Firm—H M Kelly, H F Kelly, E J Kelly, L E Kelly, W J Kelly

KELLY, LAWRENCE E, †‡ 2444 First Nat Bk Bldg (Kelly, Kelly & Kelly) .... CAdlac 3222

KELLY, RAYMOND J, *†‡ 301 City Hall .... CHerry 9640
Corporation Counsel, City of Detroit .... CHerry 1260

KELLY, SHERMAN F, 500 Police Headquarters, 1300 Beaubien St (Asst Pros Atty, Wayne County) .... RAndlh 9260

KELLY, WALTER E., ‡ 1406 Dime Bk Bldg .... RAndlh 6550-1

KELLY, WALTER J, 2444 First Nat Bk Bldg (Kelly, Kelly & Kelly) .... CAdlac 3222

KEMP, EDWARD G, 1792 First Nat Bk Bldg (Murphy & Kemp) .... CAdlac 4289

KENELY, JOHN C, 2302 First Nat Bk Bldg .... CAdlac 2490-1

KENNEDY, EDWARD H, Jr, ‡ 700 Guaranty Bldg .... CHerry 4060

KENNEDY, EDWARD H, Sr, § 700 Guaranty Bldg .... CHerry 4060

KENNEDY, FRANK I, *†‡ 751 Griswold St .... CHerry 5810

KENNEDY, FRED J., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) .... CHerry 8142

KENNEDY, JOSEPH J, *†‡ 2401 Barlum Tower .... RAndlh 3754

KENNEDY, LELAND, ‡ 2202 Dime Bk Bldg .... RAndlh 3755

KENNEY, FRANK E, *†‡ 2232 First Nat Bk Bldg (Lawhead & Kenney) .... CAdlac 1420

KENNEY, FRANK M, § 1108 Guaranty Bldg .... CHerry 3841

KENNY, HERBERT B., 963 First Natl Bk Bldg .... CHerry 6457

KENNY, PAUL J, ‡¶ 1928 Buhl Bldg (Associate—Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650

KENNY, THOMAS A, 500 Police Headquarters, 1300 Beaubien St .... RAndlh 9260

KENT, HENRY J, ‡ 1419 Majestic Bldg (Devine, Kent & Devine) .. CAdlac 2616

KENT, WILLIAM J, ‡ 301 City Hall .... CHerry 9640
(Ass't Corporation Counsel) .... CHerry 1260

KERR, IRVIN E, *†‡ 1719 Dime Bk Bldg (Kerr, Lacey & Scroggie) .. CAdlac 0337

KERR, LACEY & SCROGGIE, 1719 Dime Bk Bldg .... CAdlac 0337
  Firm—I E Kerr, R B Lacey, L J Scroggie
  Associates—John Ferguson, W C Dilworth

KEYS, H A, 702 Lawyers Bldg CAdlac 6740

KEYS, MORLEY, 1726 Dime Bk Bldg (Associate—Race, Haass & Allen) .... CAdlac 2275

KEYS, MYRON A, *†‡ 725-32 Dime Bank Bldg (Friedman, Meyers & Keys) ....

KIDDER, ARTHUR E, Lansing, Mich (Asst Atty General)

KILPATRICK, ARTHUR W, Deceased.

KILPATRICK E. KATHERINE, ‡ (Legal Dept—Old First Natl Bk) Mich Ave-Griswold Branch .... CHerry 8700

KILSDONK, MARTIN J., ‡ 528 Penobscot Bldg .... RAndlh 7310

KING, LAWRENCE S, ‡ 3456 Penobscot Bldg (Associate of Miller Canfield, Paddock & Stone) .... CHerry 6420

KING, PAUL H., *†‡ 648 Buhl Bldg .... CAdlac 8840

KING, T. GEORGE, 2727 Second Ave (S. S. Kresge Co—Legal Dept) .... CHerry 8000

KING, W. A., ‡ 7 E Grand .... TOwnsd 8-8418

KINZINGER, FRANK J, ‡§ 3415 Barlum Tower .... CAdlac 6215

KIRBY, WILLIAM E, ‡§ 307 Guaranty Bldg .... RAndlh 3562

KIRKBY, EUGENE D, †‡ 1928 Buhl Bldg (Member—Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650

KISKADDEN, JOHN M, ‡ 748 Buhl Bldg (Associate of Longley, Bogle & Middleton) .... CHerry 0920

KISSELLE, JOHN M, [MP] 1502 Ford Bldg (Barnes, Kisselle & Laughlin) .... RAndlh 8040

KLEBER, HENRY W., 2637 Barlum Tower (Larson & Kleber) .... CAdlac 1021

KLECKNER, MILTON W., †‡ 1706 Dime Bk Bldg

KLEIN, GEORGE H, *†‡ 27th Fl, Un Guar Bldg (Clark, Klein, Ferris & Cook .... RAndlh 5090

KLEIN, VICTOR W., ‡ 2288 First Natl Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) .... CHerry 8142

KLEINERT, WALTER A., †‡ 2557 Un Guar Bldg (Caldwell, Kleinert & Blanchard) .... CHerry 2300

KLINE, KERMIT K., 13726 Mich. Ave., Dearborn .... ORegon 0220

KLUNOVER, ALFRED A, ‡ 910 Buhl Bldg .... CHerry 1767-8
  Associates—P S Weisman, L M Bussell

KNIGHT, HAROLD S, ‡ 1401 First Nat Bk Bldg (Knight, Mitts & Schmidt) .... RAndlh 4351

KNIGHT, MITTS & SCHMIDT, 1401 First Nat Bk Bldg .... RAndlh 4351
  Firm—H S Knight, C A Mitts, A G Schmidt
  Associates—W R Barry, H W Geddes

KNISTER, RUSSELL E, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan) .... RAndlh 8620

KNOCK, FRANKLIN, 1936 Penobscot Bldg .... CHerry 3813

KNOPPOW, BENJAMIN, ‡ 910 Majestic Bldg .... RAndlh 1995

KNOPPOW, WILLIAM, ‡ 1263 First Natl Bk Bldg .... CAdlac 3730

KNOWLES, MILES H, *†‡§ 3215 Barlum Tower (Miller and Knowles) (President Wayne County Bar Ass'n .... RAndlh 8576

KOHLER, RANDALL C, 714 Ford Bldg .... RAndlh 3360

KOHLER, R H, 2559 Un Guar Bldg (Associate — Hitt, Brewer & Haass) .... CHerry 3330

KOLODZIEJSKI, FRANK J., ‡ 2265 E Forest Ave .... TEmple 1-4197

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

KOMJATHY, LOUIS A, 2232 Buhl Bldg .... CHerry 4450

KOON, BERTHA A., †‡ 1259 First Natl Bk Bldg .... RAndlh 4079

KOPIETZ, CAMPBELL & BUTLER, 707 Stott Bldg .... CAdlac 4835-6
Firm—F M Kopietz, A A Campbell, C F Butler

KOPIETZ, FRANK M, (Legal Dept —First Natl Bk-Detroit) Mich-Griswold Office .... CHerry 8700

KOPIETZ, FRANK M, ‡ 707 Stott Bldg (Kopietz, Campbell & Butler) .... CAdlac 4835-6

KORBY, SAMUEL B, 404 Penobscot Bldg (Associate of Chester L Schwartz) .... CAdlac 4219

KOSCINSKI, ARTHUR A, 2297 E. Forest Ave (Koscinski & Wojcinski) .... TEmple 2-6530

KOSCINSKI & WOJCINSKI, 2297 E Forest Ave .... TEmple 2-6530
Firm—A A Koscinski, R J Wojcinski

KOSTOFF, DEVERE, †‡ 2710 Stott Bldg .... CAdlac 4954

KOVEN, SAM, 751 Griswold St .... CHerry 5810

KRAG, W BRACE, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone) .... CHerry 6420

KRAMER, H. A., 3501 Barlum Tower (Weideman & Kramer) .... RAndlh 4066

KRAMER, WALTER F, 2902 Un Guar Bldg (Peck & Armstrong) RAndlh 6655

KRANSBERG, HYMAN, ‡ 3501 Barlum Tower .... CAdlac 6265

KRAPFEL, U GEORGE, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

KRAUSE, PAUL E, *†‡ 1750 First Nat Bk Bldg (Jeffries, Krause & Hally) .... CHerry 0888-9

KRAUSE, STANLEY S., 623 Barlum Tower .... RAndlh 2626

KRAVE, HELMUTH, ‡ 729 Ford Bldg .... CAdlac 7652

KREMLICK, KURT J, 2213 Dime Bk Bldg (Drysdale & Kremlick) .... CAdlac 1884-5

KRETZCHMAR, GEORGE H, ‡ 951 Penobscot Bldg .... RAndlh 7700

KRISE, W GOMER, 500 Police Headquarters, 1300 Beaubien St (Chief Ass't Pros-Atty, Wayne County) .... RAndlh 9260

KRONNER, WILLIAM O'NEILL, 1612 Un Guar Bldg .... CAdlac 9217-8-9
Associates—E J Harris, Vincent Lukaszewicz

KUGEL, E O, § 1309 Lafayette Bldg .... CAdlac 9717

KUHN, CHRISTIAN W, ‡ 640 Temple Ave (Standard Acc't Ins Co) .... TEmple 1-8100

KUHN, EARL, 1732 Buhl Bldg (Mgr Com Dept—Finkelston, Lovejoy & Kaplan) .... RAndlh 1260

KUHN, LEO H, 522 Hammond Bldg .... RAndlh 5338

KUHN, LEO W, ‡ 2288 First National Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) .... CHerry 8142

KULASKI, VICTOR, ‡ 9309 Jos Campau Ave .... MAdson 3510

KUNZ, HAZEN E., ‡ 900 Barlum Tower .... RAndlh 3665

KURLAND, AARON, ‡ 1150 First Nat Bk Bldg .... CAdlac 4850

KURTH, CHARLES W, †‡ 6369 W Fort St (Kurth, Kurth & Cline) .... VInewd 1-0030

KURTH, FREDERICK C, 6369 W Fort St (Kurth, Kurth & Cline) .... VInewd 1-0030

KURTH, KURTH & CLINE, 6369 W Fort St .... VInewd 1-0030
Firm—C W Kurth, F C Kurth, H F Cline

KURUTZ, ARTHUR J, 7932 W Jefferson Ave .... VInewd 2-0838

KUSCHINSKI, ALFRED, ‡ 1563 Un Guar Bldg (Kuschinski & Kuschinski) .... CAdlac 4492-3

KUSCHINSKI & KUSCHINSKI, 1563 Un Guar Bldg .... CAdlac 4492-3
Firm—Leo and Alfred Kuschinski
Associate—Carlyle Michelman

KUSCHINSKI, LEO, ‡ 1563 Un Guar Bldg (Kuschinski & Kuschinski) .... CAdlac 4492-3

L

LABAR, RAYMOND W, 1524 First Nat Bk Bldg .... CAdlac 3638

LACEY, RALPH B, 1719 Dime Bk Bldg (Kerr, Lacey & Scroggie) .. CAdlac 0337

LACHOVER, ABRAHAM, 807 Guaranty Bldg .... CAdlac 0065

LACY, ARTHUR J, *†‡ 1928 Buhl Bldg (Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650

LA JOIE, ERNEST P, †‡ 1517 Dime Bk Bldg .... CAdlac 9482

LAKIN, ALFRED E., 400 Lawyers Bldg .... CAdlac 1530

LAMBERT, DONALD G, [MP] 7-141 Gen Motors Bldg (Associate of Harness, Dickey, Pierce & Hann) .... MAdson 2300

LAMPHERE, GORDON W, ‡ 1417 First Nat Bk Bldg (Associate of Max Kahn) .... CAdlac 2246-7-8-9

LAND, JAMES F, †‡ 2988 E Gd Blvd .... MAdson 2538

LANDERS, MICHAEL J, Room 704, 206 E. Grand River (Davis, Landers, Saks & Webb) .... CAdlac 3165

LANE, JAMES F, 929 Majestic Bldg .... CHerry 1174

LANG, ARTHUR M, †‡ 401 Guaranty Bldg .... CAdlac 2220

LANG, CARL, 302 County Bldg (Clerk, Probate Court) .... RAndlh 2370

LANGE, GROVER D, 607 E Adams St (Associate—Lewis & Rowlette) .... CLifrd 2108

LANGLOIS, RAYMOND D, ‡ 13726 Michigan Ave, Dearborn .... ORegon 0220

LANGS, JOHN F, ‡ 2434 First Nat Bk Bldg .... CAdlac 4774

LANGS, JOHN W, ‡ 1906 Dime Bk Bldg (Pear, Beattie & Langs) .... CHerry 1883

LAPHAM, BYRON E, ‡ 1021 Hammond Bldg (Associate—Dohany & Dohany) .... RAndlh 0272

LARAMIE, DANIEL J, ‡¶ 2356 First Nat Bk Bldg (Burke & Birge) (Secy-Treas Lawyers Club of Detroit .... CAdlac 9273-4

LARKE, LAWRENCE D., ‡ 813 Dime Bk Bldg .... CAdlac 2686

LARKINS & FORSTER, 3122 Union Guar Bldg ..... RAndlh 3962
Firm—N G Larkins, C R Forster

LARKINS, NOBLE G, 3122 Un Guar Bldg (Larkins & Forster) (Atty for Wayne County Coroner's Office) ..... RAndlh 3962

LARMONTH, M M, 503 Guaranty Bldg ..... RAndlh 6885

LARSON & KLEBER, 2637 Barlum Tower ..... CAdlac 1021
Firm—O J Larson, H W Kleber

LARSON, OSCAR J, 2637 Barlum Tower ..... CAdlac 1021

LARWIN, RICHARD W, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) ..... RAndlh 1903

LASCA, NORMAN P, 712 Buhl Bldg ..... RAndlh 7611

LAU, FRANK H, 1306 Dime Bk Bldg (Lau & Lau) ..... RAndlh 6972

LAU, HARRY M, 1306 Dime Bk Bldg (Lau & Lau) ..... RAndlh 6972

LAU & LAU, 1306 Dime Bk Bldg ..... RAndlh 6972
Firm—Harry M and Frank H Lau

LAUGHERY, DAVID W, 814 Maccabees Bldg ..... COlmba 5499

LAUGHLIN, LACEY, ‡ [MP] 1502 Ford Bldg (Barnes, Kisselle & Laughlin) ..... RAndlh 8040

LAURIE, WILFRED R, ‡ 1515 Woodward Ave ..... CHerry 3600

LAWHEAD, FRANK, *†‡ 2232 First Nat Bk Bldg (Lawhead & Kenney) ..... CAdlac 1420

LAWHEAD & KENNEY, 2232 First Nat Bk Bldg ..... CAdlac 1420
Firm—Frank Lawhead, F E Kenney
Associates—E A Cummiskey, H W Fowler, G L Howe, B W Gothelf, L A Strobel

LAWLOR, JOHN F, 411 Dime Bk Bldg ..... RAndlh 1673

LAWSON & GILES, 2433 Barlum Tower ..... RAndlh 1771
Firm—R I Lawson, W B Giles

LAWSON, NOBLE T, *†‡ 1928 Buhl Bldg (Anderson, Wilcox, Lacy & Lawson) ..... CAdlac 3650

LAWSON, RICHARD I, † 2433 Barlum Tower (Lawson & Giles) ..... RAndlh 1771

LEACOCK, MARION L, 420 Fidelity Bldg ..... RAndlh 4150

LEADER, EARL D, ‡ 635 First Nat Bk Bldg ..... CAdlac 2634

LECHNER, JULIUS J, *†‡ 2301 Barlum Tower ..... CAdlac 4907

LEDERLE, ARTHUR F, ‡ 301 City Hall ..... CHerry 9640
Ass't Corporation Counsel ..... CHerry 1260

LEDYARD, AUGUSTUS C, *†‡ 3000 Un Guar Bldg (Associate—Bulkley, Ledyard, Dickinson & Wright) ..... RAndlh 5860

LEE, ARTHUR, ‡ 2208 Stott Bldg ..... CHerry 0997

LEE, BENEDICT H, 1210 Lafayette Bldg ..... CAdlac 1498

LEE, HAROLD W, †‡ 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) ..... RAndlh 6300

LEE, JAMES D, 2010 St Antoine St ..... CHerry 1227

LEE, JAMES H, *‡ 301 City Hall ..... CHerry 9640
Ass't Corporation Counsel ..... CHerry 1260

LEECH, GRANT, ‡ 929 Penobscot Bldg (Associate of Robinson & Jones) ..... CAdlac 4340

LEEMON, JOSEPH R, 516 Hammond Bldg ..... CHerry 3978

LEETE, ALEXANDER P, ‡ 1424 Dime Bk Bldg (Associate of Corliss, Leete & Moody) ..... RAndlh 0253

LEETE, THOMAS T, JR, *†‡ 1424 Dime Bk Bldg (Corliss, Leete & Moody) ..... RAndlh 0253

LEFEBVRE, ARMAND A., 815 Wash Blvd Bldg ..... RAndlh 5380

LEHMAN, C H & G M, 624 Ford Bldg ..... RAndlh 6358
Firm—Christian H & Geo M Lehman

LEHMAN, CHRISTIAN H, 624 Ford Bldg (C H & G M Lehman) ..... RAndlh 6358

LEHMAN, GEORGE M, 624 Ford Bldg (C H & G M Lehman) ..... RAndlh 6358

LEHMANN, FRED A, ‡ 2119 Dime Bk Bldg ..... CAdlac 6954

LEHMANN, WILLIAM J, ‡ 2119 Dime Bk Bldg ..... CAdlac 6954

LEIB, SAMUEL W, ‡ 1530 Un Guar Bldg ..... CHerry 2465

LEITHAUSER, BROWN & BABCOCK, 610 Det Sav Bk Bldg ..... CAdlac 8530
Firm—C F Leithauser, Grace H Brown, C W Babcock

LEITHAUSER, CARL F, ‡ 610 Det Sav Bk Bldg (Leithauser, Brown & Babcock) ..... CAdlac 8530

LEMKE, FRANK M, 502 Cadillac Sq Bldg (Riseman & Lemke) ..... CHerry 0762

LENDZION, LEONARD C, 1014 Ford Bldg (Echlin & Lendzion) RAndlh 1025

LEONARD, GEORGE E, ‡ 10th Fl, Fidelity Bldg (Am Life Ins Co.) ..... RAndlh 4280

LEONARD, GEORGE E, Jr, ‡ 3114 Un Guar Bldg (Associate—Lucking, Van Auken & Sprague) ..... RAndlh 6420

LETZER, HARRY B, § 3404 Barlum Tower ..... CAdlac 0105

LETZER, LOUIS E, ‡ 1803 United Artists Bldg (Merchants' Credit Bureau) ..... RAndlh 3600

LEVI, LAWRENCE I, (Att'y for Receiver, Old First Nat Bk) Mich Ave-Griswold Branch ..... CHerry 8700

LEVIN, ABRAHAM J, *†‡ 1990 First Nat Bk Bldg (Butzel, Levin & Winston) ..... CAdlac 7900

LEVIN, ALVIN B, ‡ 51 W Warren Ave (Legal Aid Bureau) ..... COlmba 1600

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

LEVIN, I BAYRE, 3620 Barlum Tower (Levin, Levin & Dill) ...... RAndlh 2550

LEVIN, ISADORE, *†‡ 1990 First Nat Bk Bldg (Butzel, Levin & Winston) ...... CAdlac 7900

LEVIN, LEVIN & DILL, 3620 Barlum Tower ...... RAndlh 2550
Firm—Theo Levin, S R Levin, I B Levin, E H Dill, N L Milstein

LEVIN, REUBEN, †‡ 318 Hammond Bldg ...... RAndlh 4594

LEVIN, SOL R, 3620 Barlum Tower (Levin, Levin & Dill) ...... RAndlh 2550

LEVIN, THEODORE, 3620 Barlum Tower (Levin, Levin & Dill) ...... RAndlh 2550

LEVINE, MAX P, 1157 First Nat Bk Bldg ...... CAdlac 2114

LEWELLEN, FRANK E, 903 W Gd Blvd (White Star Ref Co) ...... LAfyte 3400

LEWIS, CHARLES E, †‡ 2822 Un Guar Bldg (Warren, Hill, Hamblen, Essery & Lewis) ...... RAndlh 6485

LEWIS, C HENRI, Jr, 607 E Adams St (Lewis & Rowlette) ...... CLifrd 2108

LEWIS, EDWIN C, *†‡ 1022 Ford Bldg (Lewis & Watkins) (Member of Ass'n. of Bar of the City of New York) ...... RAndlh 3674

LEWIS & NUCIAN, 2024 Un Guar Bldg ...... RAndlh 0134
Firm—S H Lewis, B P Nucian

LEWIS & ROWLETTE, 607 E Adams St ...... CLifrd 2108
Firm—C H Lewis, Jr, C L Rowlette
Associates—W L Colen, O R Smith, G D Lange

LEWIS, SAMUEL H, ‡ 2024 Un Guar Bldg (Lewis & Nucian) ...... RAndlh 0134

LEWIS & WATKINS, 1022 Ford Bldg ...... RAndlh 3674
Firm—E C Lewis, J K Watkins, J H Brennan, J R Watkins
Associates—F C Gielow, L H Daily, F W Seitz, M F Mallender, L A Keller

L'HOMMEDIEU, CHAS H, *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright) ...... RAndlh 5860

LIBBERS, JOHN G, † 1790 First Nat Bk Bldg (Associate—C Upton Shreve) ...... CAdlac 4289

LIBKUMAN, DALE D, 722 Lafayette Bldg ...... RAndlh 1154-8430

LICHTIG, DAVID B, 2202 Barlum Tower ...... RAndlh 1814

LIDDY, HON RALPH W, †‡ Room 121 County Bldg (Judge, Common Pleas Court) ...... RAndlh 2370

LIEBER, GEORGE J, *‡ 26th Fl Eaton Tower ...... CHerry 1950

LIEBERMAN, SAMUEL P, 1227 Barlum Tower (Chase & Liberman) ...... CAdlac 8562

LIGHTFOOT, STANLEY, [MP] 408 Penobscot Bldg (Binns, Wadsworth & Lightfoot) ...... CHerry 3437

LIGHTNER, CLARENCE A, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd) ...... CAdlac 0200

LIGHTNER, HANLEY, CRAWFORD, SWEENY & DODD, 1601-13 Dime Bk Bldg ...... CAdlac 0200
Firm—C A Lightner M H Crawford, L P Dodd, D N Sweeny, C M Toohy, R A Mayer
Associates—Jas. Dresbach, A G Abbott, G D Haller, D W Apps

LINCOLN, BELA J, *†‡ 2378 First Nat Bk Bldg (Bryant, Lincoln, Miller & Bevan) ...... RAndlh 8620

LINDBLOOM, ALFRED E, ‡ 1642 Buhl Bldg ...... RAndlh 3034-0892

LINDLEY, ADELBERT H, ‡ 804 Penobscot Bldg (Lindley, Delaney & Worsham) ...... CAdlac 2346-7-8

LINDLEY, DELANEY & WORSHAM, 804 Penobsot Bldg ...... CAdlac 2346-7-8
Firm—A H Lindley, W R Delaney, T S Worsham
Associates—E L Porter, J E Delaney

LINEBAUGH, DAVID I, ‡ 2635 Barlum Tower ...... CAdlac 7374

LINEHAN, JOHN F, 806 Stott Bldg ...... CAdlac 3001

LIPMAN, JULIUS M, ‡ 1117 Penobscot Bldg ...... CAdlac 8090

LIPPMAN, HARRY J, *†‡ 910 Majestic Bldg ...... CAdlac 1626-7

LIPPMAN, IDA, ‡ 604 Hammond Bldg ...... RAndlh 4848

LISS, MORTIMER J, 1515 Barlum Tower ...... CAdlac 6320

LITTELL, JAMES E, 806 Dime Bk B'dg (Associate—Hatfield, Hall & Wood) ...... CAdlac 1940

LITZKY, JOHN, ‡ 3215 Barlum Tower ...... RAndlh 8576-7

LOCKWOOD, CHARLES C, 921 Hammond Bldg ...... RAndlh 3900

LOCKWOOD, EZRA W, †‡ 1526 Dime Bk Bldg ...... RAndlh 3050

LOCKWOOD, ROY H, 1715 Ford Bldg ...... RAndlh 0684

LODGE, LUTHER H, ‡ Milford, Mich

LOIKREC, HYMAN S, 1417 First Nat Bk Bldg (Associate of Max Kahn) ...... CAdlac 2246-7-8-9

LONG, BENJAMIN H, ‡ 2746 Penobscot Bldg (Associate — Dykema, Jones & Wheat) ...... CHerry 6040

LONG, IRWIN, *†‡ 2046 Penobscot Bldg (Goodenough, Voorhies, Long & Ryan) ...... CAdlac 8850

LONG, THOMAS G, *†‡ 2288 First Nat Bk Bldg (Stevenson, Butzel, Eaman & Long) ...... CHerry 8142

LONG, WILLIAM P, ‡ 2441 E Milwaukee, at Chene (Associate—Stanley B Dombrowski) ...... MAdson 7741

LONGLEY, BOGLE & MIDDLETON, 748 Buhl Bldg ...... CHerry 0920
Firm—C B Longley, H C Bogle, W R Middleton
Associates — J M Kiskadden, Wallace Visscher, E E Juntunen
Patent Counsel—I Joseph Farley
Assistants—T J Hughes, M V Wallace

LONGLEY, CLIFFORD B, *†‡ 748 Buhl Bldg (Longley, Bogle & Middleton) ...... CHerry 0920

LOOK, WILLIAM, † 1344 First Nat Bk Bldg ...... RAndlh 0547

LOOMIS, LLOYD A, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Atty, Wayne Co) ...... RAndlh 9260

LORD, ROY G, ‡ 801 Guaranty Bldg ...... CHerry 0322

LOREE, JOHN, 9545 Grand River ....GArfld 2429

LORENZO, CHARLES A, *†‡ 715 Majestic Bldg (Brown, Stoneman, Lorenzo & Springstun) ....CAdlac 1120

LORGION, HARRY, Deceased

LOVEJOY, EARL, 1732 Buhl Bldg (Finkelston, Lovejoy & Kaplan) ....RAndlh 1260

LOVEQUEST, GEORGE H, ‡ 601 Lawyers Bldg ....RAndlh 1122

LOVETT, G A, 11th Fl, Gen Motors Bldg (Patent Section—General Motors Corp) ....TRinty 2-4600

LOVETT, J W, 11th Fl, Gen Motors Bldg (Patent Section—General Motors Corp) ....TRinty 2-4600

LOVETT & ORR, 2212 Un Guar Bldg ....CHerry 4870
Firm—P M Lovett, J S Orr
Associate—Florence N Clement

LOVETT, PERCY M, †‡ 2212 Un Guar Bldg (Lovett & Orr) ....CHerry 4870

LOWAGIE, REMI, 14344 Mack Ave ....LEnox 5773

LOWTHER, HARRY J, JR, ‡ 1425-31 Dime Bk Bldg (Wilkinson, Lowther & O'Connell) ....CAdlac 0733

LUCKING, DEAN, †‡ 3114 Un Guar Bldg (Lucking, Van Auken & Sprague) ....RAndlh 6420

LUCKING, VAN AUKEN & SPRAGUE, 3114 Un Guar Bldg ....RAndlh 6420
Firm—Dean Lucking, Wm Lucking, Howell Van Auken, L M Sprague
Associates—F J Schumann, W K Greiner, L C Lyon, G E Leonard, Jr

LUCKING, WILLIAM, †‡ 3114 Un Guar Bldg (Associate—Lucking, Van Auken & Sprague) ....RAndlh 6420

LUKASZEWICZ, VINCENT, ‡ 1612 Un Guar Bldg (Associate—Wm O Krunner) ....CAdlac 9217-8-9

LUMBERG, SOL, ‡ 1113 Ford Bldg ....CAdlac 6130

LUSE, FOSTER D, ‡ Lansing, Mich (Atty-General's Office)

LUSH, FIRMON, ‡ 804 Cadillac Sq Bldg ....CAdlac 2160

LUSKIN, MORRIS, 515 Barlum Tower ....RAndlh 4220

LUTOMSKI & LUTOMSKI, 4771 Chene St ....TEmple 1-2885

LYLE, HILLIARD G, 520 Hammond Bldg ....RAndlh 8245

LYNCH, DANIEL M, ‡§ 703 Hammond Bldg ....RAndlh 3605

LYNCH, JOHN, 205 W Congress St (Banker's Trust Co) ....CAdlac 9602

LYNCH, JOHN D, 2146 Penobscot Bldg (Lynch, Rosenberg & Hinks) ....CAdlac 5774-8484

LYNCH, ROSENBERG & HINKS, 2146 Penobscot Bldg ....CAdlac 5774-8484
Firm—J D Lynch, L J Rosenberg and F. T. Hinks.

LYNN, JAMES F, 2232 Buhl Bldg ....CHerry 2522

LYON, LEROY C, †‡ 3114 Un Guar Bldg (Associate—Lucking, Van Auken & Sprague) ....RAndlh 6420

LYSTER, HENRY L, †‡ 1401 Ford Bldg ....RAndlh 7585

Mc

McAULIFFE, VINCENT F, 3123 Barlum Tower ....CAdlac 0282

McBRYAN, WILLIAM H, ‡ 826 Lafayette Bldg ....CAdlac 2710

McCABE, GORDON E, ‡ 2457 First Nat Bk Bldg (Wimsatt & McCabe) ....CHerry 4477

McCAIN, FREDERICK E, 521 Hammond Bldg ....RAndlh 0338

McCANDLESS, LEWIS W, *‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) ....CHerry 8142

McCANN, HUGH A, 1130 Majestic Bldg ....CHerry 6393

McCARTHY, EDWARD J, ‡ 7826 E Canfield ....IVnhoe 8235

McCARTHY, J PATRICK, ‡ 707 Ford Bldg ....CAdlac 7832

McCASLIN, WILLIAM R, † Grand Rapids, Mich (Mason, Alexander & McCaslin)

McCAULEY, FRANCIS W, ‡ 2332 Buhl Bldg (Associate — Law Offices of Chas F Delbridge) ....RAndlh 1553

McCLATCHEY, ALBERT, ‡ 1013 Lafayette Bldg ....CHerry 3389

McCLEAR & CANNIFF, 1428 Majestic Bldg (McClear & Canniff) ....CAdlac 7907

McCLEAR, LOUIS W, ‡ 1428 Majestic Bldg (McClear & Canniff) ....CAdlac 7907

McCLINTOCK, JAMES I, *†‡ 600 Fidelity Bldg (Yerkes, Goddard & McClintock) ....RAndlh 1916

McCLUSKEY, JUSTUS L, 3729 Barlum Tower ....RAndlh 7876

McCOLLOM, BLACK & RODD, 420 Book Tower ....CHerry 9664
Firm—C G McCollum, Maurice Black, J S Rodd

McCOLLOM, C G, 420 Book Tower McCollom, Black & Rodd) ....CAdlac 9664

McCORD, HARRY, 2319 Dime Bk Bldg ....RAndlh 4230

McCOY, THOS. F, 1433 Dime Bk Bldg ....CAdlac 6932

McCRAE, ALLEN O, ‡ Fort-Shelby Branch—Old First Nat Bk ....CHerry 8700

McCREA, DUNCAN C, ‡ 2729 Barlum Tower ....CAdlac 9890

McCRORY, HAROLD E, 1010 Ford Bldg ....CAdlac 5423

McCURRY, HENRY E, 903 Kresge Bldg ....RAndlh 6352

McCUTCHEON, ROBERT B, 1442 Griswold St ....CAdlac 9590

McDERMOTT, HOWARD, *‡ 2450 First Nat Bk Bldg ....CAdlac 1964

CHARLES K. HARRIS COMPANY
Certified Public Accountants
1317 GRISWOLD BUILDING—Cadillac 3338

McDEVITT, JAMES E, 710 Fidelity Bldg .... RAndlh 8618

McDONALD, CHARLES S, †‡ 1556 Penobscot Bldg .... CAdlac 5350

McDONALD, J D, Grand Rapids, Mich (Associate—Mason, Alexander & McCaslin)

McDONALD, JAMES H, Retired

McDONALD, JAS H, 5981 Woodward Ave .... MAdson 4537

McDOWELL, JOSEPH S, 1979 First Nat Bk Bldg .... CAdlac 7453

McDOWELL, WILLIAM S, *†‡ 1524 First Nat Bk Bldg .... CAdlac 3638

McEVOY, JAMES, †‡ 11th Fl, Gen Motors Bldg (Gen Atty and Patent Dir, Gen Motors Corp) .... TRinty 2-4600

McGAFFEY, DONALD, ‡ 34th Fl, Un Guar Bldg (Emmons, Oren & Sleeper) .... CHerry 1650

McGANN, FRANCIS T, ‡ 3005 Barlum Tower .... CAdlac 2755

McGEE, CLINTON, ‡ 1001 Peoples State Bk Bldg, Pontiac, Mich .. POntic 2-3922

McGINTY, ROY A, 2103 David Stott Bldg .... CAdlac 4454

McGOLDRICK, THOS L, 2423 Barlum Tower .... CAdlac 3996

McGOVERN, JOHN P, 528 Maccabees Bldg .... TEmple 1-5727

McGRAW, FREDERICK, 1612 Un Guar Bldg .... CAdlac 9217

McGREGOR, KENNETH D, ‡ 1644 Buhl Bldg .... RAndlh 3030

McGUIRK, O REGIS, †‡ 2437 First Nat Bk Bldg (Partner — Monaghan, Crowley, Reilley & Kellogg) .... CAdlac 0473

McHENRY, JAMES, †‡ 854 Buhl Bldg .... RAndlh 3393

McHUGH, PHILIP A, ‡ 1406 Un Guar Bldg .... CHerry 3430

McINALLY, LeROY B, 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

McINTOSH, A PATRICK, ‡ 1555 Un Guar Bldg (McIntosh & Dodge) .... CHerry 5770-1

McINTOSH, ALEXANDER E, 712 Fidelity Bldg .... RAndlh 3949-50

McINTOSH & DODGE, 1555 Un Guar Bldg .... CHerry 5770-1
  Firm—A Patrick McIntosh, Francis M Dodge

McINTOSH, JOHN, 1726 David Stott Bldg .... RAndlh 4443

McINTOSH, JULIEN G, ‡ 1928 Buhl Bldg (Associate—Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650
  Ass't U S Atty, 516 Lafayette Bldg .... CAdlac 5830

McINTYRE, ARCH H, ‡ 1504 Penobscot Bldg (McIntyre & McIntyre) .... CAdlac 4096

McINTYRE, ARTHUR J, § 1002 Lafayette Bldg .... CAdlac 8962-3

McINTYRE, CHARLES H, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

McINTYRE, HAROLD, ‡ 1504 Penobscot Bldg (McIntyre & McIntyre) .... CAdlac 4096

McINTYRE, JOHN H, 1201 Barlum Tower .... CAdlac 5189

McINTYRE & McINTYRE, 1504 Penobscot Bldg .... CAdlac 4096
  Firm—Harold and Arch H. McIntyre
  Associate—Jos G Rumler

McISAAC, ANGUS, 501 Fisher Bldg (Royal Ind Co) .... TRinty 2-3300

McKEAN, ROBERT E, ‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright) .... RAndlh 5860

McKEE, FOREST E, ‡ 830 Pallister St .... MAdson 1275

McKENNA, DANIEL J, ‡ 630 E Jefferson Ave (Dean — College of Law, U of D) .... CAdlac 1750

McKENZIE, JAMES A, ‡§ 620 Hammond Bldg .... CAdlac 0008

McKENZIE, WALTER I, †‡ 1535 Dime Bk Bldg .... CAdlac 1984

McKINLAY, HON JOHN F, ‡ Room 117 County Bldg (Judge, Common Pleas Court) .... RAndlh 2370

McKOAN, JOS H, JR, ‡ 501 Fisher Bldg (Royal Ind Co) .... TRinty 2-3300

McLEAN, HAROLD H, ‡ 304 Mich Cent R R Depot .... LAfyte 7000

McLEOD, CLARENCE J, *†‡ 2400 Buhl Bldg (McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

McLEOD, FIXEL, ABBOTT & FIXEL, 2400 Buhl Bldg .... CAdlac 6700
  Firm—A E Fixel, C J McLeod, A J Abbott, R W Fixel, H N Deyo, F H Sims, Jacob Clayman, J W Conway, L B McInally

McMAHON, MAURICE H, 2228-39 Buhl Bldg .... CAdlac 7765

McMANUS, LEE C, 302 Professional Bldg (Gregory & McManus) .... TEmple 1-2345

McMASTER, HARRY F, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone .. CHerry 6420

McMATH, TRENT, 1920 Un Guar Bldg (Ass't U S Attorney) .... RAndlh 7766

McMILLAN, MALCOLM, ‡ (Legal Dept, Old First Nat Bk) Mich Ave, Griswold Branch .... CHerry 8700

McMULLEN, JAY F, 1307 Lafayette Bldg .... CAdlac 8447

McNAIR, RUSSELL A, *†‡ 2046 Penobscot Bldg (Member — Goodenough, Voorhies, Long & Ryan) .... CAdlac 8850

McNAIR, WM S, † 22128 Gr River Ave .... REdfrd 4168

McNALLY, J NELSON, 2143 Un Guar Bldg .... CHerry 0030

McNAUGHTON, CHARLES N, *‡ 1158 First Nat Bk Bldg .... CHerry 0115

McNERNEY, EDW A, 1044 Free Press Bldg (Claim Dept, Lon Guar & Acc Co) .... CAdlac 8221

McRAE, COLIN J, £ 202 Murphy Bldg, Highland Park .... LOngfw 2059

McSWEENEY, L J, 728 Buhl Bldg .... RAndlh 1963

M

MACBROWICZ, THAD M, 8937 Jos Campau Ave .... MAdson 5740

MACDONALD, EDWARD A, *†‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone) .... CHerry 6420

MacDONALD, FRANK W, ‡ 703 Hammond Bldg .... RAndlh 3605

MacDONALD, HELEN K, ‡ 800 Murphy Bldg, Highland Park .... TOwnsd 8-6009

MacFARLANE, DONALD D, ‡ 1000 Penobscot Bldg (Associate—Berry & Stevens) .... CAdlac 2314

MacGILLIS, HENRY R, 1005 Cadillac Square Bldg.......RAndlh 1826

MacGREGOR, MAHLON J, ‡ 2911 Glendale Ave.......TOwnsd 7-7797

MacGREGOR, WILLIAM R, 1209 Washington Blvd, 2d Fl (Supt of Claims — Mich Mutual Liability Co).......CHerry 4808

MacINTYRE, ARCHIE, 1130, Majestic Bldg.......CHerry 6393

MacLEAN, ALAN, ‡ 600 United Artists Bldg (Associate—Howard D Brown).......CHerry 2911

MacLEAN, FRANK N, 700 Guaranty Bldg.......CHerry 4060

MacPHERSON, WILLIAM W, ‡ Rm 500, 441 E Jefferson Ave (Ass't Atty, G T W R R Co).......RAndlh 2260

MADDIN, MILTON M, ‡ 1117 Penobscot Bldg.......CAdlac 8090

MADDIN, SAMUEL A, 8739 Twelfth St.......EUclid 3770

MADONIA, JAMES J, 1231 Dime Bk Bldg (Associate of J Shurly Kennary).......CAdlac 0812

MAGEL, NORMAN H, 817 Penobscot Bldg.......CHerry 1516

MAGILL, WILLIAM L, 148 E. Vernor H'way.......RAndlh 1243

MAGUIRE, ARTHUR D, 904 Hammond Bldg.......RAndlh 1334

MAGUIRE, EDWARD S, 727 Barlum Tower.......CHerry 0020

MAGUIRE, WILLIAM C, ‡ Fort Shelby Office, Old First Nat Bk.......CHerry 8700

MAHER, THOMAS F, †‡ 510 New Center Bldg (Gen Finance Corp).......MAdson 7320

MAHON, EDMUND J, 2070 Penobscot Bldg (Associate—Geo G Mead).......CAdlac 1245

MAHON, FRANCIS, 302 County Bldg (Dept Probate Register).......RAndlh 2370

MAHON, FRANCIS J, 305 Hammond Bldg (Mahon & Mahon).......RAndlh 5009

MAHON & MAHON, 305 Hammond Bldg.......RAndlh 5009
    Firm—Thos J and Francis J Mahon

MAHON, THOMAS J, 305 Hammond Bldg (Mahon & Mahon).......RAndlh 5009

MAIULLO, ANTHONY, *†‡ 1980 First Nat Bk Bldg (Atty for Italian Gov't in Michigan).......CAdlac 7300

MAJEWSKI, S A, 8906, Jos Campau Ave.......TRinty 2-5370

MALKOUN, JASPER, 717 Hammond Bldg.......CAdlac 3838

MALLENDER, MILTON F., ‡ 1022 Ford Bldg (Associate—Lewis & Watkins).......RAndlh 3674

MANCHESTER, WM C, ‡ 1108 Prospect Street, Ann Arbor, Mich

MANDELL, LEO A, ‡ 1113 Lafayette Bldg.......CHerry 4441

MANLEY, BENJAMIN J, †‡ 2746 Penobscot Bldg (Associate—Dykema, Jones & Wheat).......CHerry 6040

MANLEY, M. J., 3103 Barlum Tower.......CAdlac 3757

MANN, CHARLES J, ‡ 719 Transportation Bldg.......RAndlh 3993

MANN, FREDERICK K, ‡ 1017 Penobscot Bldg.......RAndlh 1860

MANSFIELD, EDGAR F, ‡ 801 Guaranty Bldg.......CHerry 4587

MANSFIELD, WALTER A, ‡ 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin).......RAndlh 1204

MARCHESE, ANTHONY P, ‡ 51 W Warren Ave (Legal Aid Bureau.......COlmba 1600

MARCKS, OLIVER D, ‡ Equitable and Central Trust Co., Buhl Bldg.......CHerry 9220

MARCO, PAUL, 1120 Free Press Bldg (R M Brownson, K Murray & P Marco).......RAndlh 7529

MARCUS, BENJAMIN, ‡ 401 Guaranty Bldg.......CAdlac 3057

MARENTAY, N P, ‡ 600 United Artists Bldg (Associate—Howard D Brown).......CHerry 2911

MARKLE, HARRY C, ‡ 2450 First Nat Bk Bldg.......CAdlac 1965

MARKLEY, WILLIAM C, ‡ 16261 Wildemere Ave.......UNirty 2-9015

MARKO, L M, ‡ 623 Barlum Tower..RAndlh 2626

MARKS, CHARLES B, †‡ 690 W Palmer Ave.......MAdson 6898

MARKS, SAMUEL, 2302 Buhl Bldg.......CAdlac 6724

MARKS, SOL, ‡ 1557 First Nat Bk Bldg.......CAdlac 4530

MARKUS, OSCAR A, 2366 Penobscot Bldg (Associate—Schueler & Freud).......CHerry 4530

MAROHNIC, IVAN A, ‡ 962 First Nat Bk Bldg.......CAdlac 9437

MARQUIS, ROGERS I, *†‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright)..RAndlh 5860

MARR, CHARLES H, ‡ Wyandotte Sav Bk Bldg., Wyandotte (Marr & Cahalan).......WYndot 338

MARR & CAHALAN, Wyandotte Sav Bk Bldg, Wyandotte.......WYandot 338
    Firm—C H Marr, W L Cahalan

MARSCHNER, HON ADOLPH F, †‡ County Bldg (Judge, Wayne County Circuit Court).......RAndlh 2370

MARSCHNER, EDWARD P, 3445 Fischer Ave.......WHtier 3442

MARSDEN, RUSSELL, 12504 E Jefferson Ave.......LEnox 4114

MARSH, PLINY W, 1221 First Nat Bk Bldg.......CAdlac 1314
    Associates—J W Hindes, Hilmer Gellein

MARSHALL, GERALD R, 1118 Buhl Bldg.......Cadlac 3434

MARSHALL, JOSEPH J, ‡ 3380 Penobscot Bldg (Associate—Carey, Armstrong, Weadock & Essery).......RAndlh 8710

MARSTON, GEORGE A, ‡ 648 Buhl Bldg.......CAdlac 8840

MARTIN, CHARLES M A, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eamon & Long.......CHerry 8142

MARTIN, DAVID V, ‡§ 3405 Barlum Tower (Martin & Williams).......RAndlh 2760

MARTIN, FRANK A., †‡ 1202 First Nat Bk Bldg (Barbour & Martin).......CAdlac 9493

MARTIN, HAROLD R, †‡ 837 Penobscot Bldg.......CHerry 7238

MARTIN, WALTER E, 877 Penobscot Bldg.......RAndlh 1164

MARTIN & WILLIAMS, 3405 Barlum Tower.......RAndlh 2760
    Firm—D V Martin, C A Williams

MARTZ, JOHN E, †‡ 919 Dime Bk Bldg .... CAdlac 9839

MASON, ALEXANDER & McCASLIN, 2034 First Nat Bk Bldg .... RAndlh 1204
Firm—S T Mason, E D Alexander, W R McCaslin, C F Davidson, V G Garrison, W A Mansfield, B E Ballard, G C Buchanan, R B Hunt
Associates—P E Cholette, H M Stanton, D F Fistler, W A Perkins, J D McDonald

MASON, MELVILLE C, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

MASON, STEVENS T, *†‡ 2034 First Nat Bk Bldg (Mason, Alexander & McCaslin) .... RAndlh 1204
Counsel for Surety Association of Mich

MASSELINK, LAURENCE A, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

MASSNICK, HENRY F, †‡ Mich Ave at Griswold St (Legal Dept, Old First Nat Bk) .... CHerry 8700

MASTERS, ALFRED G, ‡ 640 Free Press Bldg .... CAdlac 1377

MASTERS, KENNETH H, 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) .... RAndlh 6300

MATHENY, CARL C, ‡ 720 Det Sav Bk Bldg (Member—Jorgenson & Alexander) .... RAndlh 8986

MATHESON, CARNEY D, †‡ 710 Penobscot Bldg .... CHerry 7992

MATZ, EDGAR J, 16765 Shaftsbury Road, Redford .... REdfrd 0052

MAUER, HENRY L, ‡ 2112 Book Bldg .... CAdlac 5420

MAURER, HENRY R, ‡ 1047 Free Press Bldg (Hayes & Maurer) .... CAdlac 9666

MAXWELL, GEORGE F, 1210 Lafayette Bldg .... CAdlac 1498

MAXWELL, RICHARD M, ‡ 120 Broadway, New York City (Thompson, Wood & Hoffman)

MAY, ALFRED A, 1459 First Nat Bk Bldg (May, Rosen & Ratner) .... RAndlh 0336

MAY, ROSEN & RATNER, 1459 First Nat Bk Bldg .... RAndlh 0336
Firm—A D Rosen, A A May, A H Ratner

MAY, SAMUEL L, ‡ 2125 E Grand Blvd (Guar Trust & Loan Co.) .... WHtier 8194

MAYER, LEOPOLD D, Deceased

MAYER, RALPH A, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd) .... CAdlac 0200

MAYNARD, PERRY A, Lansing, Mich (Ass't Atty General)

MAYRAND, PAUL B, 1005 Cadillac Square Bldg .... RAndlh 0324

MEAD, GEORGE G, ‡ 2070 Penobscot Bldg .... CAdlac 1245
Associates—Joseph Jackson, E J Mahon

MEAD, HARRY H, 948 Penobscot Bldg .... CAdlac 2038-9
Associate—Geo Goldstein

MEDER, ALBERT E, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

MEEK, WALTER M, *†‡ 2104 Dime Bk Bldg (Angell, Turner, Dyer & Meek) .... CAdlac 5470

MEGARGLE & BARROWS, 14513 E Jefferson Ave .... LEnox 3412
Firm—R J Megargle, R L Barrows

MEGARGLE, RUSSELL J, ‡ 14513 E Jefferson Ave (Megargle & Barrows) .... LEnox 3412

MEGINNITY & KARAY, 3126 Un Guar Bldg .... CAdlac 6838
Firm—Rob't Meginnity, E N Karay

MEGINNITY, ROBERT, ‡ 3126 Un Guar Bldg (Meginnity & Karay) .... CAdlac 6838

MEHLING, GEORGE F, ‡ 1023 Penobscot Bldg (Stanton & Mehling) .... CHerry 3220

MEIER, JOHN T, 500 Police Headquarters, 1300 Beaubien St. (Ass't Pros-Atty, Wayne Co) .... RAndlh 9260

MEIER & JONES, 623 Transportation Bldg .... CHerry 4150
Firm—V H Meier, H A Jones

MEIER, VICTOR H, ‡§ 623 Transportation Bldg (Meier & Jones) .... CHerry 4150

MEINBERG, WALTER W, †§£ 500 Murphy Bldg, Highland Pk .... TOwnsd 8-2511

MEISNER, HARRY H, *†‡ 1521 First Nat Bk Bldg (Meisner & Meisner) .... CAdlac 2667

MEISNER, IVAN I, ‡ 1521 First Nat Bk Bldg (Meisner & Meisner) .... CAdlac 2667

MEISNER & MEISNER, 1521 First Nat Bk Bldg .... CAdlac 2667
Firm—Harry H and Ivan I Meisner
Associate—A R Grever

MEISSNER, FREDERICK G, 745 W Philadelphia Ave .... TRinty 2-0001

MELLEN, HAROLD J, ‡ 541 Free Press Bldg .... CAdlac 1327

MELLEN, LEO, ‡ 2366 Penobscot Bldg (Associate—Schueler & Freud) .... CHerry 4530

MELLEN, NED, ‡ 2366 Penobscot Bldg (Associate—Schueler & Freud) .... CHerry 4530

MENDELSOHN, GEO M, 400 Lawyers Bldg .... CAdlac 1530

MERCER, EDWIN J, ‡ 2205 Dime Bk Bldg (Slyfield, Hartman, Mercer & Reitz) .... CHerry 4781

MEREDITH, ALFRED L, ‡§ 3415 Barlum Tower .... CAdlac 3753

MERIWETHER, ROBERT H, ‡ 1020 Lafayette Bldg .... RAndlh 2957

MERRICK, HARRY J, 904 Hammond Bldg .... RAndlh 3434

MERRIAM, HON DeWITT H, †‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

MERRIAM, SEWARD L, *‡ 6-206 Gen Motors Bldg (Counsel—Pere Marquette R R) .... MAdson 8600
(Of Counsel—Yerkes, Goddard & McClintock) .... RAndlh 1916

MERRILL, CHARLES E, *‡ 1520 Dime Bk Bldg .... CAdlac 1838

MERRY, ELLIS B, ‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright) .... RAndlh 5860

MERTZ, WILLIAM M, ‡ 1500 Penobscot Bldg .... RAndlh 4406

MERZON, MANUEL, 1233 Barlum Tower .... CAdlac 7669

MESKIN, MONTE J, 718 Hammond Bldg .... RAndlh 1170

MESSENGER, ABE A, 513 Fidelity Bldg .... RAndlh 3468

MESSIMER, HENRY, 2302 Buhl Bldg .... CAdlac 6724

MESSINGER, ABE A, 409 Charlevoix Bldg .... RAndlh 3468

METCALF, HARRY A, ‡ 1164 Penobscot Bldg (Universal Credit Corp) .... CHerry 9600

METTETAL, JEROME, 817 Penobscot Bldg .... CHerry 1516

METTING, EDWIN G, †‡ 1357 First Nat Bk Bldg .... CHerry 4026

METZGER, NATHAN D, ‡ 1150 First Nat Bk Bldg (Rosenberg & Metzger) .... CAdlac 5690-9611

MEUNCHINGER, HARRY W, 613 Hammond Bldg (Hamill & Meunchinger) .... CHerry 5709

MEURER, HENRY J, 2608 Gratiot Ave (Meurer & Meurer) .... FItzry 3122

MEURER & MEURER, 2608 Gratiot Ave (Henry J and Raymond J Meurer) .... FItzry 3122

MEURER, RAYMOND J, 2608 Gratiot Ave (Meurer & Meurer) .. FItzry 3122

MEYER, CHARLES A, ‡ 10th Fl, Un Guar Trust Bldg .... CHerry 9300

MEYER, SIDNEY K, ‡ 916 Ford Bldg .... CAdlac 1525

MEYERS, HENRY, *†‡ 725-32 Dime Bank Bldg (Friedman, Meyers & Keys)

MEYLER, CHARLES F, †‡ 1335 Dime Bk Bldg .... CAdlac 1335

MICHELMAN, CARLYLE, 1563 Un Guar Bldg (Kuschinski & Kuschinski) .... CAdlac 4492-3

MIDDLETON, W R, *†‡ 748 Buhl Bldg (Longley, Bogle & Middleton) .... CHerry 0920

MIKESELL, JOHN P, ‡ 2132 Un Guar Bldg .... CHerry 6360

MILBURN, ELMER R, †‡ 3266 Penobscot Bldg (Milburn & Semmes) .... CAdlac 2385

MILBURN, JOSEPH L, ‡ 2201 Barlum Tower .... CHerry 0141

MILBURN & SEMMES, 3266 Penobscot Bldg .... CAdlac 2385
Firm—E R Milburn, Prewitt Semmes
Associates—E T Goodrich, Ben Beckham, Jr

MILLER, BALDWIN & BOOS, 617 Penobscot Bldg .... CAdlac 6074-5-6
Firm—H C Baldwin, F H Boos, Jr
Associates—E H Rakow, W H Hague

MILLER, CANFIELD, PADDOCK & STONE, 3456 Penobscot Bldg .... CHerry 6420
Firm—S T Miller, G L Canfield (Deceased), L H Paddock, F D Stone, S T Miller, Jr, Cleveland Thurber, E. A. MacDonald, J C Spaulding, W J Shaw
Associates—F H Robinson, H F McMaster, E S Reid, Jr, M E Fead, G D Miller, L S King, E H Ailes, M C Wood, F S Glover, Jr, F B Besimer, W B Krag

MILLER FERNAND W, 2346 Penobscot Bldg .... CAdlac 0126

MILLER, FRED'K, † 6341 Gratiot Ave .... IVnhoe 3183

MILLER, GEORGE D, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone) .... CHerry 6420

MILLER, GLEN R, †‡ 27th Fl, Un Guar Bldg (Associate of Clark, Klein, Ferris & Cook) .... RAndlh 5090

MILLER, HON GUY A, ‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

MILLER, HELEN W, ‡ 1928 Buhl Bldg (Associate—Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650

MILLER, JACK, 1033 First Nat Bk Bldg .... CAdlac 7614

MILLER & KNOWLES, 3215 Barlum Tower .... RAndlh 8576
Firm—Maurice Miller, M H Knowles

MILLER, MAURICE, *†‡§ 3215 Barlum Tower (Miller & Knowles) .... RAndlh 8576

MILLER, NORMAN J, 2302 First Nat Bk Bldg .... CAdlac 2490-1

MILLER, SIDNEY T, *†‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone) .... CHerry 6420

MILLER, SIDNEY T, JR, *‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone) .... CHerry 6420

MILLER, W LESLIE, *†‡ 2378 First Nat Bk Bldg (Bryant, Lincoln, Miller & Bevan) .... RAndlh 8620

MILLIGAN, CLARENCE P, ‡ 901 Majestic Bldg .... CAdlac 0938

MILLIGAN, HARRY C, †‡ 1105 Det Sav Bk Bldg .... CAdlac 4554

MILLIS, WADE *†‡ 2010, 1150 Griswold St .... RAndlh 2890

MILROY, RAYMOND J, 628 Ford Bldg .... RAndlh 6282

MILSTEIN, NATHAN L, 3620 Barlum Tower (Levin, Levin & Dill) .... RAndlh 2550

MINARDO, COSIMO M, 1231 Dime Bk Bldg (Associate of J Shurly Kennary) .... CAdlac 0812
Ass't Pros-Atty, Wayne County, 500 Police Headquarters .... RAndlh 9260

MINER, MERRILL, 516 Lafayette Bldg (Ass't U S Atty) .... CAdlac 5830-1-2-3-4

MINSEL, PAUL E, 2137 First Nat Bk Bldg (Associate of Douglas, Barbour, Desenberg & Purdy) .... CAdlac 2966

MIOTTEL, WARD J, ‡ 5816 Wayburn Ave .... PLaza 8799

MIRIANI, LEWIS C, ‡ 51 W Warren Ave (Legal Aid Bureau) ...... COlmba 1600

MIRO, DAVID M, 512 Penobscot Bldg .... CAdlac 2253

MISTERSKY, EUGENE L, 825 Hammond Bldg .... RAndlh 3158

MITTS, CLIFFORD A, Grand Rapids Office—Knight, Mitts & Schmidt, Grand Rapids Nat Bk Bldg .... G R 92210

MIXTER, FRANK G, †‡ 1750 Penobscot Bldg (Atty for Lincoln Park) .... RAndlh 3020

MOAG, EDWIN S, 1634 First Nat Bk Bldg (Associate—Bernstein & Bernstein) .... CHerry 2340-1-2

MOEKLE, HERMAN L, ‡ 1643 Atkinson Ave .... TRinty 2-7458

MOGAN, RALPH J, 317 Hammond Bldg, Res Phone .... UNirty 2-8769

MOKERSKY, JOHN L, ‡ Dearborn Township Hall, Dearborn .... DEarbn 1212

MOLL, HARRY F, ‡ 2288 First Nat Bk Bldg (Associate — Stevenson, Butzel, Eaman & Long) .... CHerry 8142

MOLL, HON LESTER S, ‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

MOLYNEAUX, RICHARD F, ‡ 1825 Dime Bk Bldg .... CAdlac 1290

MONAGHAN, CROWLEY, REILLEY & KELLOGG, 2437 First Nat Bk Bldg .... CAdlac 0473
  Firm—P J Monaghan, D H Crowley, C S Reilley, Clarence Kellogg, O R McGuirk
  Associates—B E Nutter, Marion Crawmer, E T Kelley, S E Beattie

MONAGHAN, JOHN R, 429 Ford Bldg .... CAdlac 5110

MONAGHAN, PETER J, *†‡ 2437 First Nat Bk Bldg (Monaghan, Crowley, Reilley & Kellogg) .... CAdlac 0473

MONAHAN, M J, 2535 Eastlawn Ave .... LEnox 3202

MONAHAN, THOMAS A, 1646 First Nat Bk Bldg .... CAdlac 0414

MONASH, EMERY, † 719 Hammond Bldg .... RAndlh 2573

MONASON, A LOUIS, ‡ 500 Lawyers Bldg (Monason & Monason) .... CHerry 0085

MONASON, DAN, ‡ 500 Lawyers Bldg (Monason & Monason) .... CHerry 0085

MONASON & MONASON, 500 Lawyers Bldg (A Louis and Dan Monason) .... CHerry 0085

MONDZIEL, LEO J, ‡ 8581 Jos Campau .... MAdson 6065

MONNIG, ANTHONY J, 305 Majestic Bldg .... CAdlac 4886

MONNIG, EDWIN R, ‡ 526 Dime Bk Bldg .... CAdlac 1746

MONNIG, NORMAN, 305 Majestic Bldg .... CAdlac 4886

MONTANTE, JAMES, ‡ 717 Penobscot Bldg .... CHerry 0632

MONTE, EARL E, 712 Fidelity Bldg .... RAndlh 3949-50

MONTGOMERY, HENRY A, ‡ 533 Penobscot Bldg .... CAdlac 5721

MONTGOMERY, ROBERT A, 404 Penobscot Bldg .... RAndlh 8257-8-9

MOODY, PAUL B, *†‡ 1424 Dime Bk Bldg (Corliss, Leete & Moody) .... RAndlh 0253

MOON, C REDMAN, ‡ 1726 Dime Bk Bldg (Associate—Race, Haass & Allen) .... CAdlac 2275

MOORE, CLARENCE E, § 1002 Lafayette Bldg .... CAdlac 4575

MOORE, GEORGE E, [AP] [MP] 3053 Penobscot Bldg (Whittemore, Hulbert, Whittemore & Belknap) .... RAndlh 6192

MOORE, GUY W, †‡ 3133 Barlum Tower (Guy W Moore & Hal P Wilson) .... RAndlh 0600

MOORE, GUY W & HAL P WILSON, 3133 Barlum Tower (G W Moore & H P Wilson) .... RAndlh 0600
  Associate—Arthur E Steiner

MOORE, RALPH S, 1911 Dime Bk Bldg .... CHerry 3025

MOORE, THOMAS B, *†‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

MOORE & WILSON, 3702 Biddle St., Wayne, Mich. .... WAyne 46

MORAN, EDWARD C, 916 Ford Bldg .... RAndlh 4072

MORAN, HAZEL, ‡ 424 Book Bldg (Pres, Woman's Bar Ass'n) .... CAdlac 9085

MORDEN, ESTHER A, ‡ 13538 Michigan Ave, Dearborn .... ORegon 0051

MORGAN, IRA F, 2436 Fischer Ave .... WHtier 0888

MORIARTY, FRANK C, 317 Hammond Bldg .... CAdlac 1044

MORIARTY, LEO F, Lansing, Mich (Ass't Atty General)

MORIARTY, JOSEPH J, 317 Hammond Bldg .... CAdlac 1044

MORLEY, HOWARD P, 751 Griswold St .... CHerry 5810

MORRIS, FRANKLIN E, 1221 Dime Bk Bldg .... CAdlac 0994

MORRIS, JOHN B, ‡ 3932 Hastings St

MORRIS, JOHN F, § 307 Mich Central Depot .... LAfyte 7000

MORRIS, WILLIAM, 720 Transportation Bldg .... RAndlh 3993

MORRISON, J W, 11th Fl, Gen Motors Bldg (Patent Section—Gen Motors Corp) .... TRinty 2-4600

MORSE, ARCHIE, 812 Fidelity Bldg .... CAdlac 6921

MORSE, CHESTER J, *†‡ 1001 Majestic Bldg .... CAdlac 3054

MORSE, MAURICE, ‡ 1417 Penobscot Bldg .... RAndlh 6177

MORTH, JOHN, †‡ 817 Dime Bk Bldg .... CAdlac 8220

MOSEMAN, EDWARD N, ‡ 640 Temple Ave (Standard Acct Ins Co) .... TEmple 1-8100

MOSGROVE, R W, 3709 Barlum Tower .... RAndlh 4950

MOSIER, DUANE H, 1732 Buhl Bldg (Associate—Finkelston, Lovejoy & Kaplan) .... RAndlh 1260

MOULE, MAURICE M, *‡ 3006 Un Guar Bldg .... CAdlac 8380

MOYER, ELLIOT H, ‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston) .... CAdlac 7900

MUENCHINGER, HARRY W, 725 Penobscot Bldg .... CHerry 6716

MUIRHEAD, STANLEY N, ‡ 2104 Un Guar Bldg .... CHerry 1215

MULHOLLAND, DON S, Lawyers Bldg, Mt Clemens, Mich .... MTclms 26

MULLER, LEONARD H, § 915 Majestic Bldg, Sec'y Wayne County Bar Ass'n .... RAndlh 7750

MUNNECKE, PHOEBE C, † 8100 E Jefferson Ave .... FItzry 3448

MUNRO, HERBERT C, 1325 Dime Bk Bldg (Munro, Powell, Wing & Covey) .... RAndlh 4044

MUNRO, HERBERT E, † 500 Police Headq'trs, 1300 Beaubien St .... RAndlh 9260 (Ass't Pros. Att'y, Wayne County)

MUNRO, POWELL, WING & COVEY, 1325 Dime Bk Bldg .... CAdlac 7785-6-7
  Firm—H. C Munro, L C Wing, C A Powell, L F Covey

MURCHIE, ROBERT B, ‡ 425 Dime Bk Bldg (Baillie & Murchie) .... RAndlh 9778

MURFIN, JAMES O, *†‡, 3002 Un Guar Bldg (Member—Association of the Bar of New York City) .... CAdlac 3710

MURPHY, FRANK, ‡ Manila, P I (Governor Gen Philippine Islands)

MURPHY, GEORGE, 1792 First Nat Bk Bldg (Associate—Murphy & Kemp) ....CAdlac 4289
(Asst Atty Gen, Lansing, Mich)

MURPHY, GEORGE, †‡ Lansing, Mich (Ass't Att'y General)

MURPHY, GEORGE B, ‡ 1103 Ford Bldg ....RAndlh 3336

MURPHY, GEO T, 554 Buhl Bldg..CAdlac 3740

MURPHY, JOHN P, ‡ 821 Wash Blvd Bldg........RAndlh 8682

MURPHY, HON JOSEPH A, ‡ County Bldg (Judge, Probate Court) RAndlh 2370

MURPHY, JOS C, 14702 E. Jefferson Ave ....LEnox 6799

MURPHY & KEMP, 1792 First Nat Bk Bldg........CAdlac 4289
Firm—Frank Murphy, Edw G Kemp
Associate—Geo Murphy

MURPHY, PATRICK J ‡ 1304 Lafayette Bldg........CAdlac 9084

MURPHY, HON THOMAS, †‡ County Bldg) (Judge Wayne County Circuit Court)........RAndlh 2370

MURPHY, THOS C, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan)........RAndlh 8620

MURPHY, VINCENT L, 821 Wash Blvd Bldg........RAndlh 8682

MURRAY, JAMES F, ‡ 1442 Majestic Bldg (Associate—Schmalzreidt, Frye, Granse & Frye)........RAndlh 7600

MURRAY, JOHN S, [MP] 804 Ford Bldg ....CHerry 1609

MURRAY, KENNETH, ‡ 1120 Free Press Bldg (R M Brownson, K Murray & P Marco........RAndlh 7529

MYERS, C A, 1507 First Nat Bk Bldg ....CHerry 6232

MYERS, MAURICE R, ‡ 2479 First Nat Bk Bldg........CHerry 7077

N

NADEAU, HAROLD F, ‡ 25 Washington Street, Monroe, Mich

NASH, EARL N, 22823 Woodward Ave, Ferndale, Mich........ROyalk 2241

NATHANSON, CHARLES P, ‡ 207 Owens Bldg........CHerry 0436

NEALE, HUGH H, ‡ Lawyers Bldg, Mt Clemens, Mich

NEATON, FRANK P, 1517 Dime Bk Bldg ....CAdlac 9482

NEILL, JAMES R, ‡ 2423 Barlum Tower ....CAdlac 3996

NELSON, ANTHONY, 517 Hammond Bldg........CAdlac 7518

NELSON & DICK, 1160 E Grand Blvd ....IVnhoe 5991
Firm—H C Nelson, R L Dick
Associate—Robert O'Boyle

NELSON, HARRY C, 1160 E Gd Blvd (Nelson & Dick)........IVnhoe 5991

NELSON, WALTER M, *†‡ 1438 Dime Bk Bldg........RAndlh 8351
Suspended in State Courts for one year, from June 29, 1933.

NELLIS, ELTON R, 2423 Barlum Tower ....CAdlac 3996

NELLIS, JOHN J, 2423 Barlum Tower ....CAdlac 3996

NERTNEY, PATRICK S, *‡ 2378 First Nat Bk Bldg (Partner—Bryant, Lincoln, Miller & Bevan ....RAndlh 8620

NEUBECK, BEMAN G ‡ 1077 Penobscot Bldg (Goodall & Neubeck) ....CAdlac 4933

NEUDECK, PHILIP J, 500 Police Headq'trs, 1300 Beaubien St (Ass't Pros Att'y—Wayne County) ....RAndlh 9260

NEUDORFER, JOHN P, ‡ 607 Shelby St, Room 770 (Associate—Harold A Jones) ....CHerry 8588

NEWHOUSE, CAY A, 303 Guaranty Bldg........CAdlac 2290

NEWMAN, DAVID, 800 Penobscot Bldg ....RAndlh 2531

NEWMAN, HARRY B, 5049 Whitefield Ave ....GArfld 1451

NEWMAN, HERBERT J, †‡ 1500 Penobscot Bldg........RAndlh 1773-7588

NEWMAN, J RICHARD, ‡ 727 Penobscot Bldg........RAndlh 0902

NEWTON, DURBIN, ‡ 1207 Atkinson Ave........TRinty 2-1192

NICHOLS, ARTHUR S, 1134 Majestic Bldg........CAdlac 9353

NICHOLS, GARFIELD A, 1134 Majestic Bldg........CAdlac 9353

NICHOLS, J T, ‡ 181 Lake Shore Rd, Grosse Pt Farms........NIgara 0440

NICHOLS, JAMES K, 801 Cadillac Sq Bldg........CAdlac 5665

NICHOLS, SEWARD F, 1134 Majestic Bldg........CAdlac 9353

NICHOLSON, RALPH, ‡ 1413 Ford Bldg ....CAdlac 6856

NICOL, HENRY G., 704 Hammond Bldg (Circuit Court Commissioner—Wayne County)........RAndlh 0554

NIENHAUS, THOMAS J [MP] 7-141 Gen Motors Bldg (Member—Harness, Dickey, Pierce & Hann....MAdson 2300

NIXON, DAVID S, ‡ 2855 W Grand Blvd ....MAdson 4650

NOONAN, ALBERT W, 641 Buhl Bldg ....CAdlac 3121

NORRIS, FRANCIS X, 516 Lafayette Bldg (Ass't U S Atty)....CAdlac 5830

NORTHMORE, HAVELOCK J, 712 Fidelity Bldg........RAndlh 3949-50

NORTHWAY, EMERSON J † 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee)........RAndlh 6300

NUCIAN, BENJAMIN P, 2024 Un Guar Bldg (Lewis & Nucian)....RAndlh 0134

NUGENT, CHARLES P, 541 Free Press Bldg........CAdlac 1327

NUTTEN, CLYDE V., ‡ 1500 Penobscot Bldg........RAndlh 1773-7588

NUTTEN, WESLEY L, *†‡ 1500 Penobscot Bldg........RAndlh 1773

NUTTER, BARTLETTE E, †‡ 2437 First Nat Bk Bldg (Associate—Monaghan, Crowley, Reilley & Kellogg) ....CAdlac 0473

O

O'BOYLE, FRANK A, *†‡ 1032 Dime Bk Bldg........CAdlac 5291

O'BOYLE, ROBERT, 1160 E Gr. Blvd (Associate—Nelson & Dick) ....IVnhoe 5991

O'BRIEN, DANIEL P, 3729 Barlum Tower ....RAndlh 7876

O'BRIEN, DENIS J, 1500 Cadillac Sq Bldg....CAdlac 8290

O'BRIEN, GEORGE D, *‡ 1215 Ford Bldg....CAdlac 6471

O'BRIEN, GERALD K., Deputy Atty Gen, Lansing, Mich....

O'BRIEN, M HUBERT, 420 Fidelity Bldg....RAndlh 4150

O'BRIEN, HON PATRICK H, Attorney General of Mich., Lansing

O'CONNELL, JOHN D, 701 Cadillac Sq Bldg....RAndlh 4187

O'CONNELL, WILLIAM B, *†‡ 1425-31 Dime Bk Bldg (Wilkinson, Lowther & O'Connell)....CAdlac 0733

O'CONNOR, ROGER P, 2126 Dime Bk Bldg (Atkinson, Ortman & Shock)....CAdlac 1897

O'DONNELL, EDW J, ‡ 3140 Book Tower....RAndlh 3300

O'HAGAN, NEIL M ‡ 200 A M Henry Bldg, 6553 Woodward Avenue....MAdson 8126

O'HARA, CHESTER P, 500 Police Headq'trs, 1300 Beaubien Street (Ass't Pros Atty—Wayne Co)....RAndlh 9260

O'HARA, JOHN P *†‡¶ 1203 Majestic Bldg (F C Cook & J P O'Hara)....CAdlac 3680

OLDANI, ANTHONY G, 817 Penobscot Bldg....CAdlac 8860

OLDANI, JOSEPH J, 1417 First Nat Bk Bldg (Associate of Max Kahn)....CAdlac 2246-7-8-9

O'LEARY, EUGENE A, 815 Wash Blvd Bldg....RAndlh 5380

OLIVIER, P T, 1823 Church St ..RAndlh 6919

OLL, MELVIN A., 1820 Un Guar Bldg....CHerry 6900

OLNEY, CLAIR, 2208 David Stott Bldg....RAndlh 6314

OLSON, WALLACE T, 1546 Penobscot Bldg (Associate—Coulter & Hampton)....CAdlac 9055

ONCIU, ADAM, 411 Dime Bk Bldg (Associate—Duncan C Beath)..RAndlh 1673

O'NEIL, CHARLES P, ‡ 2709 Book Tower....RAndlh 0365

O'NEILL, LARRY E, 429 Ford Bldg CAdlac 5110

ONRICH, HENRY P, ‡ 1981 First Nat Bk Bldg....CAdlac 3389

OPPENHEIM, ROYAL A, ‡ 3130 Un Guar Bldg....CHerry 1747

O'REILLY, WILLIAM C, 706 Griswold Bldg (Prentis, Fitch & Carpenter)....RAndlh 3142

OREN, PAUL, †‡ 34th Fl Un Guar Bldg (Emmons, Oren & Sleeper)....CHerry 1650

ORR, JOHN S, ‡ 2212 Un Guar Bldg (Lovett & Orr)....CHerry 4870

ORTMAN, FRANK J, ‡ 2126 Dime Bk Bldg (Atkinson, Ortman & Shock)....CAdlac 1897

OSIUS, THEO G, 230 E. Gr River Ave....CHerry 3409

OSTROW, ERNEST E, ‡ 609 Hammond Bldg (Ostrow & Ostrow)..CHerry 1223

OSTROW, JOSEPH S, 609 Hammond Bldg (Ostrow & Ostrow) CHerry 1223

OSTROW & OSTROW, 609 Hammond Bldg....CHerry 1223
Firm—Sam'l B, E E and Jos S Ostrow

OSTROW, SAMUEL B, ‡ 609 Hammond Bldg (Ostrow & Ostrow)..CHerry 1223

OWEN, JOHN E, 150 Blaine Ave Madson 7880

OWENS, EARL, 751 Griswold St. CHerry 5810

OXTOBY, JAMES V, *†‡ 1104 Dime Bank Bldg (Oxtoby, Robison & Hull)....RAndlh 5210

OXTOBY, ROBISON & HULL, 1104 Dime Bk Bldg....RAndlh 5210
Firm—J V Oxtoby, McKee Robison, O C Hull
Associates—L E Brown, H A Fischer, L I Franklin, J C Weaver

OXTOBY, WALTER E, †‡ 1306 Dime Bk Bldg....CAdlac 0500
Associate—Howard Simon

P

PADDOCK, LEWIS H, *†‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone)....CHerry 6420

PAGE, CLARENCE E, ‡ 301 City Hall....CHerry 9640
(Ass't Corporation Counsel)....CHerry 1260

PAGEL, BENJAMIN S, ‡ 1626 Dime Bk Bldg....CAdlac 4210

PAGELS, HARDY, 1413 Ford Bldg..CAdlac 6856

PAGELSEN, EDWARD N, 1403 Ford Bldg (Associate of Swan, Frye, & Hardesty)....RAndlh 2680

PALLIAER, FREDERICK G, 307 Majestic Bldg....CAdlac 2453

PALMAN, IRVING I, 3327 Barlum Tower....CAdlac 3846

PALMER, ALDRICH & McMATH, 1920 Un Guar Bldg....RAndlh 7766-7
Firm—E R Palmer, C B W Aldrich, Trent McMath

PALMER, ERVIN R, †‡ 1920 Un Guar Bldg (Palmer, Aldrich & McMath)....RAndlh 7766-7

PALMER, JOSEPH W, 1717 First Nat Bk Bldg (Associate of Leo H Robb)....CAdlac 5100

PALMER, WILLIAM J, †‡ 1257 First Nat Bk Bldg....CAdlac 3896

PANCHUK, JOHN, 1429 Barlum Tower....CHerry 7872

PAPERNO, EMANUEL A, ‡ 503 Hammond Bldg....CAdlac 8930

PAPPS, ERNEST N, *†‡ 702 Cadillac Sq Bldg....RAndlh 8819

PARKER & BURTON, 2016-7 Dime Bk Bldg....RAndlh 0310
Firm—R A Parker (1872-1925), R J Burton
Associates—R L Underwood, R B Parker

PARKER, EDWARD C, ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter)....RAndlh 3142

PARKER, GEORGE E, JR, 10th Fl Un Guar Trust Co....CHerry 9300

PARKER, RALZEMOND B, 2016-7 Dime Bk Bldg (Associate—Parker & Burton)....RAndlh 0310

PARR & CLARKE, 3714 Monroe St., Wayne, Mich....WAyne 79
Firm—David Parr, M. Clarke

PARSONS, JOSEPH H, ‡ 27th Fl Un Guar Bldg (Associate of Clark, Klein, Ferris & Cook)....RAndlh 5090

PARZAN, GEO C, 1724 Un Guar Bldg....CHerry 4044

PASCOE, DONALD F, 1026 Lafayette Bldg....CAdlac 4541

PASIECZNY, A TOM, 10315 Jos Campau Ave....TRinty 2-7216

PATERSON, ANDREW C, 704 Hammond Bldg....RAndlh 0962

PATERSON, LEONARD J, ‡ 1507 First Nat Bk Bldg (Paterson & Paterson) .... CHerry 6232

PATERSON, M F, 1507 First Nat Bk Bldg (Paterson & Paterson) CHerry 6232

PATERSON & PATERSON, 1507 First Nat Bk Bldg .... CHerry 6232

Firm—L J and M F Paterson

PATERSON, R D, 801 Guaranty Bldg .... CAdlac 8360

PATTERSON, CLIFFORD F., 7544 Richmond St. .... MAdson 2033

PATTERSON, JOHN H, ‡ 402 Pontiac Bk Bldg, Pontiac, Mich .... POntic 4636

PATTERSON, SAMUEL W, †‡ 2302 Buhl Bldg .... CAdlac 6724

PAUL, FILBERT R, 5445 Wood .... EUclid 4554

PAUL, S REYMONT, †‡ 3005 Barlum Tower (Associate—Wm H. Gallagher) .... CAdlac 2755

PAUL, SAMUEL B, 715 Ford Bldg CAdlac 1315

PAYETTE, HAZEN J, ‡ 722 Ford Bldg .... RAndlh 8549

PAYNE, J H, 1500 Cad Sq Bldg .... CAdlac 8290

PAYNE, JOSEPH A, ‡ (Payne & Payne), 1026 Lafayette Bldg .... CAdlac 4541

PAYNE, LeROY, ‡ 1401 Barlum .. CAdlac 0107-8

PAYNE & PAYNE, 1026 Lafayette Bldg .... CAdlac 4541

Firm—Jos A and Thos W Payne

PAYNE, THOMAS W, †‡ (Payne & Payne), 1026 Lafayette Bldg .... CAdlac 4541

PEAR, BEATTIE & LANGS, 1906 Dime Bk Bldg .... CHerry 1883

Firm—W E Pear, F G Beattie, J W Langs

Associates—D K Tyler, S E Stephens, G C Johnson

PEAR, WALTER E, *†‡ 1906 Dime Bk Bldg (Pear, Beattie & Langs) .... CHerry 1883

PEARL, BERNARD A, ‡ 401 Majestic Bldg .... RAndlh 4469

PEARL, CECIL, 2710 David Stott Bldg (Associate — Collier, Goodman & Simon) .... CAdlac 4954

PEARLMAN, BENJAMIN, 403 Hammond Bldg .... RAndlh 1552

PECK & ARMSTRONG, 2902 Un Guar Bldg .... RAndlh 6655

Firm—W H Peck, F W Armstrong

Associate—W F Kramer

PECK, WARD H, †‡ 2902 Un Guar Bldg (Peck & Armstrong) .... RAndlh 6655

PEIRSON & PEIRSON, 1635 Dime Bk Bldg .... CAdlac 6905

PEIRSON, ROB'T H, 1635 Dime Bk Bldg (Peirson & Peirson) .... CAdlac 6905

PEIRSON, SHELDON E, 1635 Dime Bk Bldg (Peirson & Peirson) .... CAdlac 6905

PELTON, CARL H, ‡ 1001 Peoples State Bk Bldg, Pontiac, Mich .. POntic 2-3922

PENGRA, ELLERY C, 1210 Lafayette Bldg .... RAndlh 3311

PERETTO, ROBERT J, ‡ 417 Penobscot Bldg .... RAndlh 5434

PERKINS, CHAS R, 527 E Warren Ave .... COlmba 1729

PERKINS, WM A (Associate—Mason, Alexander & McCaslin), Grand Rapids, Mich.

PETERMANN, A E JR, ‡ Calumet, Mich

PETRIK, JOHN, ‡ 401 Guaranty Bldg .... CHerry 2478

PETRIK, JOHN J, ‡ Room 403, 1308 Broadway .... CAdlac 0010

PEVOS, HERBERT J, 401 Majestic Bldg .... CHerry 0526

PFEIFER, IRVING W, ‡ 812 Hammond Bldg (Betzoldt & Pfeifer) CAdlac 3889

PFEIFLE, JOHN R, 500 Police Headq't'rs, 1300 Beaubien St (Special Asst Pros Atty Wayne County) .... RAndlh 9260

PHELAN, J FRANCIS, ‡ 2142 Buhl Bldg .... CHerry 0880

PHENEY, JOHN, ‡ 9003 Grand River (Pheney & Pheney) .... GArfld 1172

PHENEY & PHENEY, 9003 Grand River (John and Sylvester Pheney) .... GArfld 1172

PHENEY, SYLVESTER, 9003 Grand River (Pheney & Pheney) .... GArfld 1172

PHILIPPART, HOWARD L, ‡ 2522 Third Ave .... CAdlac 6060

PHILLIPS, WALTER, 500 Police Headqtrs, 1300 Beaubien St (Asst Pros Atty—Wayne County) .... RAndlh 9260

PHINNEY, FLOYD M, † 554 Buhl Bldg .... CAdlac 6630

PIERCE, HODGSON S, [MP] 7-141 Gen Motors Bldg (Harness, Dickey, Pierce & Hann) .... MAdson 2300

PIETRASZEWSKI, CHESTER, ‡ 2067 Un Guar Bldg .... RAndlh 4111

PIETRASZEWSKI, STAN C, ‡ 2067 Un Guar Bldg .... RAndlh 4111

PIGOTT, LEO W, 402 Lawyers Bldg .... RAndlh 1366

PILLSBURY, HOWARD G, †‡ 1254 LaBrosse Street .... CHerry 8484

PIPER, PERCIVAL R, 329 Broadway Market Bldg .... CAdlac 5069

Associate—Chas. C. Benjamin

PLATT, HARRY H, *†‡ 1757 Un Guar Bldg .... CAdlac 2460

PLATT, HENRY A, †‡ 1202 First Nat Bk Bldg .... CAdlac 9493

PLATZ, JAMES M, ‡ 729 Ford Bldg .... CAdlac 7652

PLISKOW, HARRY L, 1529 Barlum Tower .... RAndlh 6881

PLISKOW, JULIUS C, 919 Free Press Bldg .... RAndlh 8556

PLOTTS, FREDERICK J, ‡ 614 Hammond Bldg .... CAdlac 9398

PLUNKETT, ROBERT E, †‡ 1117 Dime Bk Bldg .... RAndlh 1910

POKORNY, EDWARD, †‡ 9th Fl Barlum Tower (Friend of the Court) .... RAndlh 3665

POKORNY, JOHN E, *†‡ 2442 Buhl Bldg .... CAdlac 0969

POLASKY, DAVID, 817 Dime Bk Bldg .... CAdlac 2544

POLK, A J, 1006 David Stott Bldg CAdlac 3325

POLOZKER, I H, 603 Hammond Bldg (Polozker & Polozker) .... RAndlh 4848

POLOZKER & POLOZKER, 603 Hammond Bldg (I H and S F Polozker) .... RAndlh 4848

POLOZKER, S F, 603 Hammond Bldg (Polozker & Polozker) .... RAndlh 4848

POPKIN, HIRAM Y, ‡ 1272 First Nat Bk Bldg (Associate—Griffin, Heal & Emery) .... CAdlac 4237

POPP, SUZANNE M, ‡ 8005 W. Jefferson Ave .... VInewd 2-0278

PORTER, BERTRAND R, ‡ 4516 Avery Ave .... TEmple 2-7758

PORTER, E LYNN, ‡ 804 Penobscot Bldg (Lindley, Delaney & Worsham) ... CAdlac 2346-7-8

PORTER, GEORGE A, 1021 Hammond Bldg (Associate—Dohany & Dohany) ... RAndlh 0272

PORTER, WALTER A, Equitable Trust Co, Buhl Bldg ... CHerry 9220

POSLUSZNY, ANDREW R, ‡ 9701 Jos Campau Ave ... MAdson 6772

POTERE, EDW A, 14045 Woodward Ave ... TOwnsd 8-2642

POTVIN, FRED J, 1010 Ford Bldg CAdlac 5423

POWELL, CLAYTON A, 1325 Dime Bk Bldg (Munro, Powell, Wing & Covey) ... CAdlac 7785-6-7

POWER, PERCY J, †‡ 2822 Un Guar Bldg (Associate—Warren, Hill, Hamblen, Essery & Lewis) RAndlh 6485

POWERS, FRANK M, 2344 First Nat Bk Bldg ... CAdlac 9066

POWERS, JOSEPH A, ‡ 1221 Dime Bk Bldg ... CAdlac 0994

PRENTIS, FITCH & CARPENTER, 706 Griswold Bldg G G Prentis, F H Fitch, R L Carpenter, E F Hayes, G B Shaeffer, L F Dahling, W H Gallogly, Wendell Brown, W A Richards, H D Howse, W F Cotter, W C O'Reilly, E C Parker, L D Ratcliffe) ... RAndlh 3142

PRENTIS, GEORGE G, ‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ... RAndlh 3142

PRESCOTT, COULTER, CAMPBELL & BAXTER, 1912 Un Guar Bldg CHerry 6200
Firm—J H Prescott, G M Coulter, M D Campbell, C S Baxter

PRESCOTT, JOEL H, *‡ 1912 Un Guar Bldg (Prescott, Coulter, Campbell & Baxter) ... CHerry 6200

PREWITT, ETHAN C, ‡ (Legal Dept —Old First Nat Bk) Mich Ave-Griswold Branch ... CHerry 8700

PRICE, LAURENCE A, 3633 Barlum Tower ... RAndlh 3032

PRIEBE, AARON H, ‡ 1304 Lafayette Bldg ... CAdlac 9084

PRIMEAU, JOS H, 14827 E Jefferson Ave ... LEnox 3909

PUGH, BLAND A, ‡ 1825 Dime Bk Bldg ... CAdlac 1290

PULFORD, CYRIL C, †‡ 1217 First Nat Bk Bldg ... RAndlh 2697

PURDY, CLAYTON C, †‡§ 2137 First Nat Bk Bldg (Douglas, Barbour, Desenberg & Purdy) ... CAdlac 2966

PUTNAM, LESLIE C, †‡ 600 Fidelity Bldg (Associate—Yerkes, Goddard & McClintock) ... RAndlh 1916

PYLE, J NELSON, †‡ 3122 Gratiot Ave ... FItzry 0365

PYLKAS, LEONARD V, ‡ 1417 First Nat Bk Bldg (Associate of Max Kahn) ... CAdlac 2246-7-8-9

Q

QUAIL, J GILBERT, †‡ 1905 Industrial Bk Bldg ... CAdlac 0542

QUINLAN, FRANK E, ‡ 17151 Livernois Ave ... UNirty 1-1412

QUINT, EDWARD D, ‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston) ... CAdlac 7900

R

RACE, HAASS & ALLEN, 1726 Dime Bk Bldg ... CAdlac 2275
Firm—U G Grace, W F Haass, Harry Allen
Associates—F A Supp, C R Moon, G A Alderton

RACE, U GRANT †‡ 1726 Dime Bk Bldg (Race, Haass & Allen) ... CAdlac 2275

RACKHAM, HORACE H, Deceased —June, 1933

RAE, WALTER S, 13700 Mich Ave, Dearborn ... ORegon 1054

RAFFERTY, THOMAS J, ‡ 6th Fl, Buhl Bldg ... CAdlac 0730

RAINE, KENNETH E, ‡ 1965 Un Guar Bldg ... CAdlac 7753

RAISCH, ARTHUR, [MP] 1502 Ford Bldg (Associate of Barnes, Kisselle & Laughlin) ... RAndlh 8040

RAKOW, EDWARD H, ‡ 617 Penobscot Bldg (Associate of Miller, Baldwin & Boos) ... CAdlac 6074-5-6

RALL, OSCAR V, 1130 Majestic Bldg ... CHerry 6393

RANDALL, NORMAN J, ‡ Mio, Mich

RANKIN, FRANCIS E, ‡ 803 Hammond Bldg ... RAndlh 1300

RANKIN, WILLIAM A, †‡§ 925 Majestic Bldg ... RAndlh 7750

RAPAPORT, SYLVAN, ‡ 725-32 Dime Bank Bldg (Associate—Friedman, Meyers & Keys)

RATCLIFFE, LEON D, 706 Griswold Bldg (Prentis, Fitch & Carpenter) ... RAndlh 3142

RATNER, ARTHUR H, ‡ 1459 First Nat Bk Bldg (May, Rosen & Ratner) ... RAndlh 0336

RAUNER, FRANKLIN J, ‡ 412 Recreation Bldg (Law Clerk, Circuit Court) ... RAndlh 5475

RAYMOND, HAROLD V, *† 1106 Guaranty Bldg ... CHerry 5550

REA, ALEXANDER M, 314 Reid Bldg ... RAndlh 3868

READ, GEORGE M, ‡ 533 Penobscot Bldg ... CAdlac 5721

REBAIN, ROMAN P, 4821 Chene St (Associate of B F Chamski) ... TErace 2-8688

REID, CLARENCE, ‡ 910 Lawyers Bldg ... RAndlh 6426

REID, D NEIL, 933 Dime Bk Bldg (Reid & Young) ... CAdlac 1950

REID, EDWARD S JR, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone) ... CHerry 6420

REID & YOUNG, 933 Dime Bk Bldg ... CAdlac 1950
Firm—D N Reid, L P Young

REILLEY, CRAWFORD S, †‡ 2437 First Nat Bk Bldg (Monaghan, Crowley, Reilley & Kellogg) ... CAdlac 0473

REISS, EMILE, 720 Transportation Bldg ... RAndlh 3993

REISS, SAMUEL, ‡ 1664 First Nat Bk Bldg ... CAdlac 8429

REITZ, EDGAR M, †‡ 2205 Dime Bk Bldg (Slyfield, Hartman, Mercer & Reitz) ... CHerry 4781

RENAUD, ARTHUR E, ‡ 1130 First Nat Bk Bldg ... CAdlac 2932

RENAUD & COASH, 615 Fidelity Bldg ... RAndlh 4149
Firm—F N Renaud, G P Coash
Associate—L E Coash

RENAUD, FRANK N, ‡ 615 Fidelity Bldg (Renaud & Coash).....RAndlh 4149

RESH & JEWELL, 5037 Chene St.....PLaza 1894
Firm—Stephen F Resh, W Ralph Jewell

RESH, STEPHEN F, † 5037 Chene St (Resh & Jewell).....PLaza 1894

RETZLAFF, CHAS, 22552 E Gratiot Ave E Detroit (Rosenbusch & Retzlaff).....PIngre 5550

REYNOLDS, WALTER H, ‡ 249 Dickerson Ave.....MUrray 2616

RHODES, BENJAMIN, 1863 Un Guar Bldg (Rhodes & Castle).....CAdlac 5155

RHODES, MAURICE P, †‡ 821 Penobscot Bldg.....CHerry 1840

RHODES & RHODES, 1863 Un Guar Bldg.....CAdlac 5155
Firm—Sam'l J and Benj Rhodes

RHODES, SAMUEL J, ‡ 1863 Un Guar Bldg (Rhodes & Rhodes) CAdlac 5155

RHODES, WM A ‡ 2515 Barlum Tower.....CHerry 1124

RICCA, JOHN A, 701 Cadillac Sq Bldg.....RAndlh 4187

RICE, ARTHUR R, ‡ 1508 Penobscot Bldg.....RAndlh 6838

RICE, HENRY E, ‡ 631 First Nat Bk Bldg.....CAdlac 6262

RICE, JOHN D, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long).....CHerry 8142

RICH, EDWARD A, *†‡ 1975 Penobscot Bldg.....CHerry 4144
Associate—S S Willis

RICHARDS, HOWARD L, 121 W Euclid Ave.....TRinty 2-8667

RICHARDS, RAY V, 3240 Gratiot Ave.....FItzry 0954

RICHARDS, WILLIAM A, 706 Griswold Bldg (Prentis, Fitch & Carpenter).....RAndlh 3142

RICHARDSON, HEDLEY V, *‡ 1228 Buhl Bldg.....CAdlac 7350

RICHTER, HON THEODORE J, ‡ County Bldg (Judge, Wayne County Circuit Court.....RAndlh 2370

RICKEL, HARRY, 2423 Barlum Tower.....CAdlac 3996

RIEKER, PAUL, 1209 Washington Blvd, 2nd Floor (Legal Dep't—Mich Mutual Liability Co).....CHerry 4808

RIFFEL, STEPHEN V, ‡ 1825 Dime Bk Bldg.....CAdlac 1290

RIGGS, FRANK J, ‡ 1513 First Nat Bk Bldg (Riggs, Smith & Snyder).....RAndlh 4272

RIGGS, SMITH & SNYDER, 1513 First Nat Bk Bldg.....RAndlh 4272
Firm—F J Riggs, E A Smith, H V Snyder
Associates — Rodney Baxter, Thos B White

RILEY, J K, 1133 Griswold St.....CHerry 1640

RING, VAN H, ‡ 1461 First Nat Bk Bldg.....CAdlac 1326

RIOPELLE, JOHN L, 3932½ W Jefferson Ave, Ecorse.....VInewd 2-4262

RIOPELLE, OSCAR A, *†‡§ 816 Fidelity Bldg.....RAndlh 1042
Associate—N C Zack

RIPPEY, OWEN, ‡ 531 Barlum Tower.....CAdlac 5043

RISEMAN, HARRY, 502 Cadillac Sq Bldg (Riseman & Lemke).....CHerry 0762

RISEMAN & LEMKE, 502 Cadillac Sq Bldg.....CHerry 0762
Firm—Harry Riseman, F M Lemke

RITCHIE, ARCHER F, †‡ (Legal Dept Old First Nat Bk) Mich Ave-Griswold Branch.....CHerry 8700

RIX, CARL K, ‡ 203 Hammond Bldg.....CAdlac 5768

ROBB, CHARLES G JR, 1013 Lafayette Bldg.....CAdlac 6512

ROBB, LEO H, ‡ 1717 First Nat Bk Bldg.....CAdlac 5100
Associates—F G Wardle, J W Palmer, J C Trese

ROBBINS, ARTHUR L, ‡ 2100 Penobscot Bldg.....CAdlac 2425

ROBBINS, HARRY, ‡ 1017 Dime Bk Bldg.....CAdlac 3328

ROBBINS, MAURICE, ‡ 1109 Guaranty Bldg.....CAdlac 7731

ROBBINS, OSWALD M, Suite 870, 607 Shelby St (Associate—Robbins & Schuur).....CHerry 6565

ROBBINS, ROBERT F, ‡ Suite 870, 607 Shelby St (Robbins & Schuur).....CHerry 6565

ROBBINS & SCHUUR, 607 Shelby St (Suite 870).....CHerry 6565
Firm—Robt F Robbins, Donald P Schuur
Associate—Oswald M Robbins

ROBBINS, THEODORE R, 1108 Guaranty Bldg.....CHerry 3841

ROBERTS, CHAS P, 715 Francis Palms Bldg.....CAdlac 9579

ROBERTS, EDWARD J, 2529 Barlum Tower.....RAndlh 1402

ROBERTS, HENRY H, ‡ 1226 Dime Bk Bldg.....CAdlac 8494

ROBERTSON, CHARLES R, †‡ 2002 Penobscot Bldg.....RAndlh 4093

ROBERTSON, JOHN R, 705 First Nat Bk Bldg (Taylor, Robertson & Hartz).....CAdlac 0032

ROBERTSON, LAURA J, 3466 Penobscot Bldg (Joslyn, Joslyn & Joslyn).....CAdlac 1224

ROBERTSON, LESLIE B, 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee).....Randlh 6300

ROBINS, JOHN C, 10554 Mack Ave.....LEnox 0348

ROBINSON, FREDERICK H, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone).....CHerry 6420

ROBINSON & JONES, 929 Penobscot Bldg.....CAdlac 4340
Firm—P H Robinson, L T Jones
Associates—Grant Leech, W K Yearsley, T G Jones

ROBINSON, LEWIS S, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris).....RAndlh 1903

ROBINSON, PHILIP H, ‡ 929 Penobscot Bldg (Robinson & Jones).....CAdlac 4340

ROBINSON, SIGMUND A, ‡ 1031 Dime Bk Bldg.....CHerry 6550

ROBISON, JAMES A, 2270 First Nat Bk Bldg.....RAndlh 1902

ROBISON, McKEE, *†‡ 1104 Dime Bk Bldg (Oxtoby, Robison & Hull).....RAndlh 5210

ROBSON, FRANK E, *†‡, 2900 Un Guar Bldg (Beaumont, Smith & Harris).....RAndlh 1903

ROCKWELL, EDWARD G, 139 Bagley CHerry 2911

RODD, JOSEPH S, 420 Book Tower (McCollom, Black & Rodd) CHerry 9664

RODGERS, JULIAN P, ‡ Dept St Railways, St Jean and Shoemaker (Ass't Corporation Counsel) Whtier 4800

RODGERS, THEO J, 2415 Barlum Tower RAndlh 6066

ROEHL, CARL P, ‡ 802 Majestic Bldg (Associate—Colby, Berns & Costello) CAdlac 9277

ROGERS, ROGER W, ‡ 3000 Un Guar Bldg (Associate — Bulkley, Ledyard, Dickinson & Wright RAndlh 5860

ROGNER, CARL, 615 Lafayette Ave Atty—Detroit News) RAndlh 2000

ROM, NORMAN, ‡ 3315 Barlum Tower CAdlac 4285-6-7

ROMANOFF, JOHN G, ‡ 1227 Barlum Tower RAndlh 8042

ROMMECK, FRANK C, ‡ 2627 Barlum Tower RAndlh 9250

ROOD, JOHN R, ‡ 12248 Grand River Ave HOgrth 5953

ROOD, ROYAL D, ‡ 12248 Grand River Ave HOgrth 5953

ROOKS, ARTHUR J, 10330 Jos Campau Ave MAdson 2999

ROSEN, ADRIAN D, †‡ 1459 First Nat Bk Bldg (May, Rosen & Ratner) RAndlh 0336

ROSEN, HARRY K, ‡ 1117 Penobscot Bldg CAdlac 8090

ROSENBERG, AARON, 1150 First Nat Bk Bldg (Rosenberg & Metzger) CAdlac 5690-9611

ROSENBERG, LOUIS J, 2146 Penobscot Bldg (Lynch, Rosenberg & Hinks) CAdlac 5774-8484

ROSENBERG & METZGER, 1150 First Nat Bk Bldg CAdlac 5690-9611
Firm—Aaron Rosenberg, N D Metzger

ROSENBUSCH, OTTO, ‡ 22552 E. Gratiot Ave, East Detroit (Rosenbusch & Retzlaff) PIngre 5550

ROSENBUSCH & RETZLAFF, 22552 Gratiot Ave, E Detroit PIngre 5550
Firm—O Rosenbusch, C Retzlaff

ROSENSWEIG, M M, 8101 W Jefferson Ave VInewd 1-2425

ROSENTHAL, BEN, ‡ 701 Majestic Bldg (Rosenthal, Rosenthal & Rosenthal) CAdlac 5820-1

ROSENTHAL, FRANCIS, 701 Majestic Bldg (Rosenthal, Rosenthal & Rosenthal) CAdlac 5820-1

ROSENTHAL, HENRIETTA E, *‡ 701 Majestic Bldg (Rosenthal, Rosenthal & Rosenthal) CAdlac 5820-1

ROSENTHAL, ROSENTHAL & ROSENTHAL, 701 Majestic Bldg Francis, Ben and H E Rosenthal) CAdlac 5820-1

ROSENZWEIG, LOUIS, †‡ 2162 First Nat Bk Bldg RAndlh 8011

ROSIN, HENRY P, ‡ 1041 Penobscot Bldg CAdlac 7400

ROSIN, NATHAN D, ‡ 502 Lawyers Bldg CAdlac 0909

ROSS, DANIEL W, *†‡, 519 Penobscot Bldg RAndlh 2929

ROSSIN, BEN, 5 W Larned St CAdlac 9540

ROSTEN, HERBERT S, 1157 First Nat Bk Bldg CAdlac 2114

ROTA, MICHELE A, †‡ 1926 First Nat Bk Bldg (Capizzi & Rota) CAdlac 6556

ROTHE, N J, ‡ 2629 Barlum Tower CAdlac 8899

ROTHENBERG, LAWRENCE, ‡ 1801 Dime Bank Bldg (Associate—Alex J Groesbeck) RAndlh 6341

ROTTMAN, HENRY M, ‡ 1529 Barlum Tower RAndlh 6881

ROTZLER, W M, 11th Fl Gen Mot Bldg (Patent Section—Gen Mot Corp) TRinty 2-4600

ROUMELL, STEPHEN T, † 1015 Dime Bk Bldg RAndlh 0949

ROUTIER, RALPH E, †‡ 417 Dime Bk Bldg RAndlh 0585-6

ROWLETTE, CECIL L, 607 E Adams St (Lewis & Rowlette) CLifrd 2108

ROWLEY, MARK L, †‡ 2313 Dime Bk Bldg RAndlh 2574

ROXBOROUGH, HENRY B, 1336 Brush St (Roxborough & Taliaferro) CLifrd 4280

ROXBOROUGH & TALIAFERRO, 1336 Brush St CLifrd 4280
Firm—H B Roxborough, C A Taliaferro
Associates—Lawrence Hayes, Rob't Evans

RUBENSTEIN, SYDNEY, ‡ 1235 Lafayette Bldg CHerry 4440

RUBIN, ARTHUR, 1304 Lafayette Bldg CAdlac 9084

RUBIN, MELBA LEVIN, 2459 First Nat Bk Bldg RAndlh 8204

RUBIN, MEYER, 1732 Buhl Bldg Associate — Finkelston, Lovejoy & Kaplan) RAndlh 1260

RUBIN, MEYER R, ‡ 926 First Nat Bk Bldg CAdlac 5543

RUBIN, SAMUEL H, ‡ 2459 First Nat Bk Bldg RAndlh 8204

RUBINER, HON CHARLES, ‡ Room 119 County Bldg (Judge, Common Pleas Court) RAndlh 2370

RUDDY, FRANK A, 325 Hammond Bldg RAndlh 6154

RUEGSEGGER, A D, ‡¶ 2104 Dime Bk Bldg (Associate—Angell, Turner, Dyer & Meek) CAdlac 5470

RUMLER, JOSEPH G, ‡ 1504 Penobscot Bldg (Associate—McIntyre & McIntyre) CAdlac 4096

RUNGE, CARL (Att'y for Receiver —Old First Nat Bk) Mich Ave-Griswold Branch CHerry 8700

RUSINACK, JOHN J, 1004 Ford Bldg CAdlac 5999

RYAL, JOHN W, 1014 Ford Bldg RAndlh 7333-4

RYAN, MACK, *†‡ 2046 Penobscot Bldg (Goodenough, Voorhies, Long & Ryan) CAdlac 8850

RYMAL, CHARLES E, ‡ 14612 Grand River Ave HOgrth 5500

RYMAN, DEAN E, †‡ Det Trust Co. 201 W Fort St RAndlh 5670

S

SABBAG, FRED K, 1005 Cadillac Sq Bldg CAdlac 3181

SABLE, HERMAN R, ‡ 1010 Lafayette Bldg CAdlac 3510

SACHS, I ERNEST, ‡ 2148 Penobscot Bldg CAdlac 0601

SACRE, VENO E, 2143 Un Guar Bldg CHerry 0030

SADOWSKI, GEO G, †‡ 2441 E Milwaukee Ave....TRinty 2-8474

SAFFIR, M J, 2503 Barlum Tower..CHerry 3745

SAFIR, BENJAMIN J, 503 Hammond Bldg....RAndlh 3377

SAFRAN, JOHN, ‡ 805 Guaranty Bldg....CAdlac 2622

SAKS, SAMUEL, Room 704, 206 E Gr River (Davis, Landers, Saks & Webb)....CAdlac 3165

SALLIOTTE, IGNATIUS J, 709 Fidelity Bldg....RAndlh 1459

SALOWICH, NICHOLAS, 1401 Barlum Tower....CAdlac 0107

SALZMAN, ELMER, 3156 Penobscot Bldg....CAdillac 7676

SANDERS, CLYDE C, ‡ 2202 Barlum Tower....RAndlh 1812

SANDERS, HON JOSEPH, ‡ Room 110 County Bldg (Judge, Common Pleas Court)....RAndlh 2370

SANDOR, ENGEL, † 7862 W Jefferson Ave....VInewd 2-1213

SAPERSTEIN, JAMES H, 1157 First Nat Bk Bldg....CAdlac 2297

SAPIRO, ABRAM, ‡ 1626 Dime Bk Bldg....CAdlac 4210

SARNOFF, SAUL, 2462 First Nat Bk Bldg....RAndlh 1095

SATOVSKY, ABRAHAM, ‡ 3005 Barlum Tower (Associate— Wm H Gallagher)....CAdlac 2755

SAUER, RUSSELL D, ‡ 2826 David Stott Bldg....CAdlac 9620

SAULSON, H J, 1221 Ford Bldg....CAdlac 4183

SAUNDERS, LEON, 1201 Barlum Tower....CAdlac 2986

SAVERY, WIRT I, 1535 Dime Bk Bldg....CAdlac 7657

SAVIDGE, MYRON H, ‡ 2457 Woodward Ave, Room 701....CAdlac 9579

SAYRES, WILLIAM S, Jr, † 403 Recreation Bldg (Standing Master in Chan, U S Dist. Court—Eastern Dist of Mich....RAndlh 0318

SCALLEN, HON JOHN P, ‡ Municipal Court Bldg (Judge, Recorder's Court)....CHerry 7440

SCHAFER, THEO M, 4824 W Warren Ave (Bolio, Temple & Schafer)....EUclid 7943

SCHAFLANDER, SAMUEL, ‡ 2601 Barlum Tower....CAdlac 2258

SCHAUB, EMELIA ‡ [Women Lawyer's Ass'n] 920 Lafayette Bldg RAndlh5454

SCHEAFER, HOWARD A, ‡ 6th Fl Buhl Bldg....CAdlac 0730

SCHEMANSKE, FRANK G, 500 Police Headq't'rs, 1300 Beaubien St (Ass't Pros Att'y — Wayne County)....RAndlh 9260

SCHEMANSKE, HON LEONARD L, ‡ Room 115 County Bldg (Judge, Common Pleas Court)....RAndlh 2370

SCHERMERHORN, FLOYD T, ‡ 1750 Penobscot Bldg....CAdlac 7977

SCHERPING, SIDNEY F, ‡ 750 Whitmore St.,....UNivty 16536

SCHIAPPACASSE, JOSEPH T, ‡ 951 Penobscot Bldg....RAndlh 7700

SCHIFFMAN, MYRON, ‡ 800 Penobscot Bldg....RAndlh 2531

SCHINDLER, DONALD A, ¶ 1408 Ford Bldg (Jordan, Thomson & Schindler)....CHerry 1990

SCHKLOVEN, S W ‡ 917 Penobscot Bldg....CAdlac 4053-4

SCHLESINGER, ARTHUR W, 631 First Nat Bk Bldg....CAdlac 7613

SCHLISSEL, CHARLES I, ‡ 630 Penobscot Bldg....RAndlh 5423

SCHLUNT, ARCHIE L, 302 Professional Bldg....TEmple 1-9707

SCHLUSSEL, IRVING W, 1004 Hammond Bldg....CHerry 7790

SCHMALZREIDT, FRED R, ‡ 1442 Majestic Bldg (Schmalzreidt, Frye, Granse & Frye)....RAndlh 7600

SCHMALZREIDT, FRYE, GRANSE & FRYE, 1442 Majestic Bldg....RAndlh 7600
  Firm—F R Schmalzreidt, E H Frye, W C Granse, F A Frye
  Associates—J F Murray, G C Wilber, Jr

SCHMEMAN, GEORGE J, 1535 Dime Bk Bldg....CAdlac 1984

SCHMIDT, ALBERT G, ‡ 1401 First Nat Bk Bldg (Knight, Mitts & Schmidt)....RAndlh 4351

SCHMIER, ABE A, ‡ 417 Ford Bldg....CAdlac 1070-1

SCHMIER, HERMAN A, †‡ 417 Ford Bldg....CAdlac 1070-1

SCHMULT, CARL A, † 3343 Gratiot Ave....FItzry 2570

SCHNEIDER, JOHN H, ‡ 507 Det Sav Bk Bldg....RAndlh 7338-9

SCHNITZLER, JOSEPH, Mt. Pleasant, Mich

SCHOECK, VINCENT E, ‡ 51 W. Warren Ave (Legal Aid Bureau)....COlmba 1600

SCHOOLER, NATHANIEL, ‡ 917 Penobscot Bldg....CHerry 3803

SCHOPP, FRED A, 2627 Barlum Tower....RAndlh 9250

SCHROERER, GERALD E, †‡ 2066 First Nat Bk Bldg....RAndlh 2500

SCHUDLICH, GEORGE W, ‡ 500 Police Headq't'rs, 1300 Beaubien Street (Ass't Pros Att'y—Wayne County)....RAndlh 9260

SCHUELER, ARTHUR, ‡ 2366 Penobscot Bldg (Schueler & Freud)....CHerry 4530

SCHUELER & FREUD, 2366 Penobscot Bldg....CHerry 4530
  Firm—Arthur Schueler, J S Freud
  Associates — Leo Mellen, Ned Mellen, O A Markus

SCHUESLER, JOHN K, 2704 W. Jefferson Ave., Trenton....TRentn 180

SCHULMAN, JACOB F, 616 Ford Bldg....CAdlac 3855

SCHULTZ, OTTO, 305 Guaranty Bldg....RAndlh 6577

SCHULTZ, WILLIAM H, 611 Hammond Bldg....RAndlh 4648

SCHULZ, PAUL H, ‡ 469 Ledyard Ave....RAndlh 0343

SCHUMANN, FRED J, ‡ 3114 Un Guar Bldg (Associate—Lucking, Van Auken & Sprague)....RAndlh 6420

SCHUSTER, MAX D, ‡ 2326 First Nat Bk Bldg....RAndlh 6161

SCHUUR, DONALD P, Suite 870, 607 Shelby Street (Robbins & Schuur)....CHerry 6565

SCHWARTZ, CHESTER L, 404 Penobscot Bldg (Associate—Sam'l B. Korby)....CAdlac 4219

SCHWARTZ, MAURICE, 3327 Barlum Tower....RAndlh 4765

SCHWEIKART, CARL, 500 Police Headq't'rs, 1300 Beaubien Street (Special Ass't Pros Att'y—Wayne County) ....RAndlh 9260

SCHWEIKART & TARA, 2117 Dime Bk Bldg ....CAdlac 9638-9639
Firm—Walter Schweikart, P W Tara

SCHWEIKART, WALTER, ‡ 2117 Dime Bk Bldg (Schweikart & Tara) ....CAdlac 9638-9

SCHWEMLER & HAYES, 1216 Eaton Tower....CAdlac 3300
Firm—W F Schwemler, Ira C Hayes

SCHWEMLER, WILLIAM F, 1216 Eaton Tower (Schwemler & Hayes) ....CAdlac 3300

SCROGGIE, LEE J, 1719 Dime Bk Bldg (Kerr, Lacey & Scroggie) CAdlac 0337

SCUPHOLM, T GORDON, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long ....CHerry 8142

SEABORG, HENRY P, †‡ 1508 Penobscot Bldg ....RAndlh 6838

SEACORD, HAROLD M, 521 Transportation Bldg ....RAndlh 3405

SEATON, WILLIAM R, ‡ 6-212 Gen Motors Bldg (Gen Att'y—Pere Marquette R R) ....MAdson 8600

SEDWICK, THEODORE L, ‡ 640 Temple Ave (Standard Acc't Ins Co) ....TEmple 1-8100

SEGESTA, JAMES G, ‡ 22644 Gratiot Ave, E Detroit....ROsevl 777

SEIBOLD, PAUL F, [MP] 7-141 Gen Motors Bldg (Member—Harness, Dickey, Pierce & Hann)....MAdson 2300

SEIDLER, EMANUEL, 503 Hammond Bldg ....CAdlac 8930

SEITZ, FREDERICK W, †‡ 1022 Ford Bldg (Associate—Lewis & Watkins) ....RAndlh 3674

SELLERS, A F, 1229 Lafayette Bldg ....CAdlac 2423

SELLS, EDGAR S, †‡ 600 Fidelity Bldg (Associate—Yerkes, Goddard & McClintock) ....RAndlh 1916

SELTZER, A JOSEPH, 515 Barlum Tower ....CAdlac 5200-1
Associate—J J Beck

SEMMES, PREWITT, †‡ 3266 Penobscot Bldg (Milburn & Semmes) ....CAdlac 2385

SEMPLINER, A W, *‡ 2003-12 Dime Bk Bldg (Sempliner, Dewey, Stanton & Bushnell)....CAdlac 2940

SEMPLINER, DEWEY, STANTON & BUSHNELL, 2003-12 Dime Bk Bldg ....CAdlac 2940
Firm—A W Sempliner, F G Dewey, G E Bushnell, E R Stanton
Associates—J L Honigman, A E Smith, Wm M Sempliner

SEMPLINER, WM M, †‡ 2003-12 Dime Bk Bldg (Associates—Sempliner, Dewey, Stanton & Bushnell) ....CAdlac 2940

SEVALD, FREDERICK J B, ‡ 712 Buhl Bldg....RAndlh 7611

SEVERANCE, WILBUR M, ‡ 2000 Penobscot Bldg (Fox & Severance) ....RAndlh 8410

SEWALL, E D, 11th Fl Gen Motors Bldg (Patent Section—Gen Motors Corp) ....TRinty 2-4600

SEXTON, JAMES H, 302 County Bldg (Dep Probate Register)....RAndlh 2370

SHABERMAN, HARRY L, ‡ 1626 Dime Bk Bldg ....RAndlh 4210

SHAEFFER, GEORGE B, *‡ 706 Griswold Bldg (Prentis, Fitch & Carpenter) ....RAndlh 3142

SHANGLE, DAVID L, ‡ 1021 Hammond Bldg (Associate — Dohany & Dohany)....RAndlh 0272

SHAPERO, HAROLD M, †‡ 2201 First Nat Bk Bldg (Shapero & Shapero) ....RAndlh 8164

SHAPERO, NELSON S, ‡ 608 Guaranty Bldg....CAdlac 8534

SHAPERO, SAMUEL, ‡ 2201 First Nat Bk Bldg (Shapero & Shapero) ....RAndlh 8164

SHAPERO & SHAPERO, 2201 First Nat Bk Bldg....RAndlh 8164
Firm—Samuel and H M Shapero

SHAPIRO, NELSON, 608 Guaranty Bldg ....CAdlac 8534

SHARAI, MAURICE D, 502 Murphy Bldg, Highland Park....TOwnsd 6-8500

SHARP, L EUGENE, § 34th Fl Un Guar Bldg (Emmons, Oren & Sleeper) ....CHerry 1650

SHAW, ALLAN E, †‡ 920 Lafayette Bldg ....RAndlh 5454

SHAW, WILLIAM J, *‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone)....CHerry 6420

SHEA, DANIEL G, ‡ 1726 Stott Bldg ....RAndlh 4443

SHEA, JAMES J, ‡ 701 Det Sav Bk Bldg (Associate—B J Barton)..RAndlh 3635

SHEEHAN, GREGORY J, ‡ 709 Guaranty Bldg (Healy & Sheehan) ....CAdlac 1717

SHEPHERD, BEN O, *†‡ 1526 Dime Bk Bldg (Sec'y Det Bar Ass'n)..RAndlh 3050

SHEPHERD, EDMUND E, 500 Police Headq't'rs, 1300 Beaubien Street (Ass't Pros Atty — Wayne County) ....RAndlh 9260

SHERE, CHAS N, 400 Lawyers Bldg (Guazda & Shere)....CAdlac 5770

SHERMAN, SIDNEY, ‡ 3601 Barlum Tower ....CAdlac 3621

SHERRARD, JOSEPH B, *†‡ 27th Fl Un Guar Bldg (Clark, Klein, Ferris & Cook)....RAndlh 5090

SHIELDS, JOHN C, ‡ 6-205 Gen Motors Bldg (Gen Solicitor—Pere Marquette R R) ....MAdson 8600

SHIEK, WILLIAM H, †‡ 839 Majestic Bldg ....RAndlh 7586

SHIMANS, SAMUEL, †‡ 933 Penobscot Bldg ....CAdlac 8465

SHIMER, EARL L, †‡ 1928 Buhl Bldg (Member—Anderson, Wilcox, Lacy & Lawson)....CAdlac 3650

SHIRLEY, ALTON P, 417 Penobscot Bldg ....RAndlh 5434

SHIVERS, JOSEPH B, 319 W Gr Blvd ....LAfyte 1842

SHOCK, RAYMOND M, *†‡ 2126 Dime Bk Bldg (Atkinson, Ortman & Shock)....CAdlac 1897

SHOLTIS, A J, 6816 Kercheval Ave ....FItzry 4744

SHREVE, C UPTON, †‡ 1790 First Nat Bk Bldg .... CAdlac 4289
Associates—O J Spindler, J G Libbers

SHUMWAY, CHARLES, 1013 Lafayette Bldg .... CAdlac 6512

SHURLY, KENNARY J, 1231 Dime Bk Bldg .... CAdlac 0812
Associates—C M Minardo, J J Madonia, J J Comella

SIBLEY, EUGENE, 303 Guaranty Bldg .... CAdlac 2290

SIBLEY, FRANK C, ‡ 303 Guaranty Bldg .... CAdlac 2290

SIEGEL, JOSEPH H, 2727 Barlum Tower .... CAdlac 9065

SIEGEL, NATHANIEL, ‡ 727 First Nat Bk Bldg .... CAdlac 4889

SILBER, ALBERT J, 1026 Lafayette Bldg (Associate—O Z Ide) .... CAdlac 2870

SILBERMAN, HENRY H, †‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston) .... CAdlac 7900

SILLMAN, HAROLD E, 1010 Capitol Pk Bldg .... RAndlh 5780

SILVER, FELIX F, † 948 Buhl Bldg .... RAndlh 6998

SILVERMAN, MAX, 616 Ford Bldg CAdlac 3855

SILVERMAN, MORRIS, 616 Ford Bldg .... CAdlac 3855

SILVERSTEIN, MAXWELL, ‡ 1602 Barum Tower .... RAndlh 8872

SILVERSTEIN, SAMUEL S, 1444 First Nat Bk Bldg .... CAdlac 6610

SILVERSTON, HAROLD M, ‡ 2100 Penobscot Bldg .... CAdlac 2425

SIMMETT, EDWARD P, 1845 First Nat Bk Bldg (Associate of Dohany & Hersch) .... RAndlh 0587-8

SIMMONS, MARGARET, 1801 Dime Bk Bldg (Associate — Alex J Groesbeck) .... RAndlh 6341

SIMON, ABRAM R, ‡ 2710 David Stott Bldg (Collier, Goodman & Simon) .... CAdlac 4954

SIMON, HOWARD, 1306 Dime Bk Bldg (Associate — Walter E Oxtoby) .... CAdlac 0500

SIMON, MARKUS S, ‡ 1959 First Nat Bk Bldg .... CAdlac 4923

SIMONDS, DANIEL N, ‡ 3601 Barlum Tower .... CAdlac 4942

SIMONS, LEONARD, ‡ 1724 Union Guar Bldg .... CHerry 4045

SIMS, FRED H, ‡ 2400 Buhl Bldg McLeod, Fixel, Abbott & Fixel) .... CAdlac 6700

SIPE, JAMES G, 9964 Gratiot Ave WHtier 1870

SIRICA, ALFONSO E, 1235 Barlum Tower .... RAndlh 4113

SKILLMAN, HON W McKAY, ‡ Municipal Court Bldg (Judge Recorder's Court) .... CHerry 7440

SKINNER, LEO A, 710 Penobscot Bldg .... RAndlh 1328

SKLAR JOHN, ‡ 933 Penobscot Bldg .... CAdlac 4700

SKOWRONSKI, THAD M, 303 Guaranty Bldg .... CAdlac 2290

SLAGGART, ALFRED N, ‡ 1632 Buhl Bldg .... CAdlac 5862

SLATER, HARRY, ‡ 2063 Un Guar Bldg .... CHerry 9300

SLAVIN, HARRY, 901 Majestic Bldg .... CAdlac 0938

SLEEPER, HAROLD A, *‡ 34th Fl, Un Guar Bldg (Emmons, Oren & Sleeper) .... CHerry 1650

SLOAN, ALLAN, 401 Majestic Bldg .... RAndlh 4469

SLOAN, JOHN J, ‡ 1724 Ford Bldg (Chawke & Sloan) .... RAndlh 1177

SLOCUM, FREDERICK V, *†‡ Room 500, 441 E Jefferson Ave (Ass't Att'y, G T W R R Co) .... RAndlh 2260

SLOMAN, ADOLPH, † 636 Buhl Bldg .... CHerry 2231

SLOMAN, EDMUND M, *†‡ 2462 First Nat Bk Bldg .... RAndlh 1095

SLYFIELD, HARTMAN, MERCER & REITZ, 2205 Dime Bk Bldg .... CHerry 4781
Firm—H S Slyfield, H E Hartman, E J Mercer, E M Reitz
Associates—H H Channer, G D Tait

SLYFIELD, HENRY S, *†‡ 2205 Dime Bk Bldg (Slyfield, Hartman, Mercer & Reitz) .... CHerry 4781
President, Detroit Bar Ass'n

SMALL, IRING H, 611 Hammond Bldg .... RAndlh 4648

SMILANSKY, LOUIS, 812 Fidelity Bldg .... CAdlac 6921

SMILAY, HAROLD H, ‡ 1326 Dime Bk Bldg .... CAdlac 7785

SMITH, ALBERT E, 2003-12 Dime Bk Bldg (Associate — Sempliner, Dewey, Stanton & Bushnell) .... CAdlac 2940

SMITH, CALVIN N, ‡ 187 Vester Ave, Ferndale, Mich .... ROyal 5863

SMITH, CHARLES R A, ‡§ 3691 Hastings St

SMITH, DONALD B, ‡ 1425-31 Dime Bk Bldg (Associate — Wilkinson, Lowther & O'Connell) .... CAdlac 0733

SMITH, EDWARD A, 1513 First Nat Bk Bldg (Riggs, Smith & Snyder) .... RAndlh 4272

SMITH, ELLSWORTH G, ‡ 2031 First Nat Bk Bldg .... RAndlh 4720

SMITH, FRANK D, ‡ 505 Lawyers Bldg .... RAndlh 4855

SMITH, FREDERICK P, †‡ 2222 Buhl Bldg .... RAndlh 1715

SMITH, HAL H, *†‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

SMITH, HAROLD R, *†‡ 3000 Un Guar Bldg (Bulkley, Ledyard, Dickinson & Wright) .... RAndlh 5860

SMITH, HOWARD W, ‡ 73 W Forest Ave (Associate—H B Graves and C H Hatch) .... COlmba 5796

SMITH, J HAROLD, 2970 W Gr Blvd .... MAdson 1539

SMITH, J. THOMAS, ‡ 3380 Penobscot Bldg (Associate—Carey, Armstrong, Weadock & Essery) .... RAndlh 8710

SMITH, JOSEPH P JR, ‡ 1632 First Nat Bk Bldg .... CAdlac 0999

SMITH, LESTER S, ‡ 844 Buhl Bldg .... RAndlh 5121

SMITH, MARVIN A, ‡ 817 Dime Bk Bldg .... CAdlac 7983

SMITH, NED H, 500 Police Headquarters, 1300 Beaubien St (Special Ass't Pros-Atty, Wayne County) .... RAndlh 9260

SMITH, O L, *†‡ 1925 Dime Bk Bldg (Wiley, Streeter, Smith & Ford) .... CAdlac 4752

SMITH, OLIVER S, ‡ 8th Fl 5 W Larned St .... RAndlh 8892

SMITH, OSCAR R, 607 E Adams St (Associate—Lewis & Rowlette) CLifrd 2108

SMITH, SWEETMAN G, 2729 Barlum Tower........CAdlac 9890

SMITH, WINFIELD, 1113 Dime Bk Bldg........CAdlac 6270

SMITH, YATES G, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris)........RAndlh 1903

SMITT, MAX, 2232 Buhl Bldg........RAndlh 6136

SMOKLER, NEDWIN L, 1113 Dime Bk Bldg........CHerry 8656

SMULLIN, ISAAC M, ‡ 1004 Hammond Bldg........CAdlac 2612

SNEED, ERNEST C, ‡ 523 Penobscot Bldg........CHerry 1791

SNIDER, GEO R, 2826 David Stott Bldg........CAdlac 9620

SNIDER, NORMAN M, †‡ 703 Barlum Tower........CAdlac 1201

SNYDER, HOWARD V, ‡ 1513 First Nat Bk Bldg (Riggs, Smith & Snyder)........RAndlh 4272

SNYDER, W V, ‡ 35104 Mich. Ave., Wayne, Mich.........WAyne 128

SOGGE, BERT R, § 2130 Barlum Tower........RAndlh 6584

SOLOMAN, HARRY J, ‡ 3327 Barlum Tower (Atlas & Soloman) RAndlh 4766

SOLOMAN, HARRY R, 948 Buhl Bldg........RAndlh 6998

SOMERS, ARTHUR, 2nd Fl, Transportation Bldg (Great Lakes Casualty Co)........CAdlac 7740

SPALDING, AUSTIN J, ‡ Cadillac, Mich

SPAULDING, JOHN C, *‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone)........CHerry 6420

SPECTOR, HARRY A, ‡ 1113 Ford Bldg........CAdlac 6130

SPEED, ROBERT T, ‡ 401 Majestic Bldg........RAndlh 4469

SPENCER, JAMES H, ‡ 2746 Penobscot Bldg (Associate — Dykema, Jones & Wheat)........CHerry 6040

SPENCER, L M, 11th Fl Gen Motors Bldg (Patent Section—Gen Motors Corp)........TRinty 2-4600

SPIKE, H V,*‡ Room 500, 441 E Jefferson Ave (Gen Atty, G T W R R Co)........RAndlh 2260

SPILLANE, JAMES J, 1543 First Nat Bk Bldg........CAdlac 9140

SPINDLER, ORVILLE J, 1790 First Nat Bk Bldg (Associate—C Upton Shreve)........CAdlac 4289

SPRAGUE, LAWRENCE M, †‡ 3114 Un Guar Bldg (Lucking, Van Auken & Sprague)........Randlh 6420

SPRINGSTUN, HUMPHREYS, *†‡ 715 Majestic Bldg (Brown, Stoneman, Lorenzo & Springstun)........CAdlac 1120

SRERE, ABRAHAM, ‡ 1337 Beaubien St........CHerry 7565

STACY, HENRY P, †‡ 314 Mich Cen Depot........LAfyte 7000

STAFFORD, EDMUND J, ‡ 1226 Dime Bk Bldg........CAdlac 2545

STALKER, GEORGE H, ‡ 1164 Penobscot Bldg (Universal Credit Corp)........CHerry 9600

STAMP, W H, 16400 Hamilton Ave........UNirty 1-7630

STANDART, JOSEPH G, †‡ 1250 Griswold St........RAndlh 2785

STANLEY, GLADYS, ‡ 711 Hammond Bldg........CHerry 5030

STANTON, C FREDERIC, ‡ 1023 Penobscot Bldg (Stanton & Mehling)........CHerry 3220

STANTON, EDWARD R, 2003-12 Dime Bank Bldg (Sempliner, Dewey, Stanton & Bushnell)........CAdlac 2940

STANTON, H MONROE, Saginaw, Mich (Associate—Mason, Alexander & McCaslin)

STANTON & MEHLING, 1023 Penobscot Bldg........CHerry 3220

Firm—C F Stanton, G F Mehling

STAPLETON, THOMAS F, 2000 Buhl Bldg (Counsel for Briggs Com & Dev Co)........RAndlh 1870

STARK, WALTER, 325 Hammond Bldg........RAndlh 6154

STARKEY, E C, ‡ 3674 Shaeffer Rd., Dearborn, Mich........ORegon 4600

STARR, ISADORE, ‡ 516 Hammond Bldg........CHerry 3978

STEIN, HON CHRISTOPHER E, ‡ Municipal Court Bldg (Judge Recorder's Court)........CHerry 7440

STEIN, EDWARD H, 804 Hammond Bldg (Associate—Irwin I Cohn)........RAndlh 3250

STEIN, MORRIS W, ‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston)........CAdlac 7900

STEINER, ARTHUR E, 3133 Barlum Tower (Associate—Guy W Moore & Hal P Wilson)........RAndlh 0600

STEINER, WILFRED S, 1272 First Nat Bk Bldg (Associate—Griffin, Heal & Emery)........CAdlac 4237

STELLBERGER, LOWELL C, †‡ 1512 W Euclid Ave........TRinty 2-6621

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STEMPIEN, WALTER A, 2441 E Milwaukee, at Chene (Associate—Stanley B Dombrowski)........MAdson 7741

STEPHENS, JAMES W, ‡ 1320 Dime Bk Bldg........RAndlh 6929

STEPHENS, SIDNEY E, ‡ 1906 Dime Bk Bldg (Associate—Pear, Beattie & Langs)........CHerry 1883

STEPSAY, BENJAMIN B, 917 Penobscot Bldg........CHerry 3803

STERN, ALBERT M, 2378 First Nat Bk Bldg (Associate of Bryant, Lincoln, Miller & Bevan)........RAndlh 8620

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STEVENS, ALBIN J, 554 Buhl Bldg........CAdlac 6630

STEVENS, CLAUDE H, ‡ 1000 Penobscot Bldg (Berry & Stevens) .... CAdlac 2314

STEVENS, ETHAN K, 1905 Dime Bk Bldg .... RAndlh 3224

STEVENS, HAROLD R, 600 Majestic Bldg .... CAdlac 8977

STEVENS, KENNETH M, ‡ 1825 Dime Bk Bldg .... CAdlac 1290

STEVENS, L B, †‡ 3033 Barlum Tower (Stevens & Stevens) .... CLifrd 2877

STEVENS, L BELDEN, JR, †‡ 3033 Barlum Tower (Stevens & Stevens) .... CLifrd 2877

STEVENS & STEVENS, 3033 Barlum Tower .... CLifrd 2877
  Firm—L B Stevens, L B Stevens, Jr
  Associate—F M Blake

STEVENSON, ANDREW G, ‡ 1407 First Nat Bk Bldg .... RAndlh 4351

STEVENSON, J G, 11th Fl Gen Motors Bldg (Legal Dep't—Gen Motors Corp) .... TRinty 2-4600

STEWART, EARLE V, 521 Hammond Bldg .... RAndlh 0338

STODDARD, ELLIOTT J, *‡ [AP] [MP] 704 Ford Bldg .... RAndlh 2865

STOLINSKI, ALFRED S, ‡ 5534 Michigan Ave .... LAfyte 0532

STONE, FERRIS D, *‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone) .... CHerry 6420

STONE, HARRY M, ‡ 1626 Dime Bk Bldg .... CAdlac 4210

STONE, HENRY, § 315 Lightner Bldg .... CAdlac 0676

STONE, ISADORE G, ‡ 1557 First Nat Bk Bldg .... CAdlac 4530

STONE, KENNETH A, 307 Mich Cen Depot .... LAfyte 7000

STONEMAN, LEWIS A, *†‡ 715 Majestic Bldg (Brown, Stoneman, Lorenzo & Springstun) .... CAdlac 1120

STORCHAN, ALFRED J, § 3404 Barlum Tower .... CAdlac 0105

STORM, CARL T, 1433 Barlum Tower .... CAdlac 8198

STRAEHLE, EDWARD, 751 Griswold St .... CHerry 5810

STREETER, HOWARD, *†‡ 1925 Dime Bk Bldg (Wiley, Streeter, Smith & Ford) .... CAdlac 4752

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  Associates—S B Keene, J N Tucker

SUGAR, VICTOR H, 3210 Book Tower (Associate—Davidow & Davidow) .... RAndlh 9144

SUGARMAN, LOUIS, 959 First Nat Bk Bldg .... CAdlac 3755

SULLIVAN, EARL D, ‡ 405 Stormfeltz-Loveley Bldg (Burger & Sullivan) .... TRinty 2-5200

SULLIVAN, EDMUND B, 3005 Barlum Tower (Associate — Wm B Gallagher) .... CAdlac 2755

SULLIVAN, HAROLD R, 628 Ford Bldg (Duffy, Sullivan & Duffy) .... RAndlh 6282

SULLIVAN, HERBERT D, 2100 Penobscot Bldg .... CAdlac 2425

SULLIVAN, HILARY J, 307 Majestic Bldg .... CAdlac 2453

SULLIVAN, JOHN L, 628 Ford Bldg (Duffy, Sullivan & Duffy) .... RAndlh 6282

SULLIVAN, M E J, 14240 Mich Ave, Dearborn .... ORegon 5938

SULLIVAN, RICHARD J, 1724 Ford Bldg (Associate—Chawke & Sloan) .... RAndlh 1177

SULLIVAN, WILSON H, ‡ 1123 Penobscot Bldg .... CHerry 2725

SUMMER, ALBERT, 2102 Barlum Tower .... RAndlh 7582

SUNDAY, JOHN A, 500 Police Headquarters, 1300 Beaubien St (Ass't Pros-Atty—Wayne Co) .... RAndlh 9260

SUNLEY, HARRY, ‡ 1663 Un Guar Bldg .... RAndlh 3440

SUPP, FLOYD A, ‡ 1726 Dime Bk Bldg (Associate—Race, Haass & Allen .... CAdlac 2275

SURA, ANDREW J, 928 First Nat Bk Bldg .... CAdlac 7527

SVENSON, CHARLES A, *‡ 1520 Un Guar Bldg .... RAndlh 6375

SWAN, FRYE & HARDESTY, 1403 Ford Bldg .... RAndlh 2680
  Firm—W M Swan, G R Frye, F D Hardesty
  Associates—J C L Cowen, E N Pagelsen

SWAN, WILLIAM M, ‡ [MP] 1403 Ford Bldg (Swan, Frye & Hardesty) .... RAndlh 2680

SWEARINGEN, VICTOR C, (Legal Dep't—Old First Nat Bk), Mich Ave-Griswold Branch .... CHerry 8700

SWEENEY, HON HENRY S, ‡ Municipal Court Bldg (Judge, Recorder's Court) .... CHerry 7440

SWEENY, DONALD N, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd) .... CAdlac 0200

SWEET, MINOR A, ‡ 630 Merrick Ave .... TEmple 2 5277

SWEETWING, FREMONT, 610 Majestic Bldg—Res Phone .... EUclid 8273-J

T

TABIBIAN, RICHARD, 6th Fl, Buhl Bldg .... CAdlac 0730

TAIT, GARLAND D, ‡ 2205 Dime Bk Bldg (Associate—Slyfield, Hartman, Mercer & Reitz) .... CHerry 4781

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TARA, PAUL W, ‡ 2117 Dime Bk Bldg (Schweikart & Tara) .... CAdlac 9638-9

TARSNEY, WILLIAM E, 2266 Penobscot Bldg (Associate — Lloyd L Axford) .... RAndlh 1474

TATKEN, ABNER A, ‡ 1700 St Antoine St .... RAndlh 7074

TAYLOR, A N, 11th Fl, Gen Motors Bldg (Legal Dep't—Gen Motors Corp) .... TRinty 2-4600

TAYLOR, CARL R, 705 First Nat Bk Bldg (Taylor, Robertson & Hartz) .... CAdlac 0032

TAYLOR, ELIZABETH B, 2002 Penobscot Bldg .... RAndlh 4093

TAYLOR, E SAMUEL, 417 Penobscot Bldg RAndlh 5434

TAYLOR, ORLA B, *† 2332 Buhl Bldg (Counsel, Law Offices of Chas F Delbridge) RAndlh 1553

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THOMAS, S E, 421 Hammond Bldg RAndlh 0376

THOMPSON, ALLAN M, ‡ 3315 Barlum Tower CHerry 5540

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THOMPSON, THOMAS W, †‡ 601 Lawyers Bldg RAndlh 6759

THOMSEN, CARL R, ‡ 2763 Un Guar Bldg (Thomsen & Wright) CAdlac 6939

THOMSEN & WRIGHT, 2763 Un Guar Bldg CAdlac 6939
Firm—C R Thomsen, D A Wright

THOMSON, FRED'K A, ‡ 3041 Boston Blvd, W EUclid 4103-J

THOMSON, JAMES, 817 Penobscot Bldg RAndlh 1693

THOMSON, THOMAS L, §¶ 1408 Ford Bldg (Jordan, Thomson & Schindler) CHerry 1990

THORNTON, HUBERT L, 10573 W Jefferson Ave VInewd 2-0630

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THORP, WILLIAM L, †‡ 700 Lawyers Bldg RAndlh 3323

THRUN, CARL J, ‡ 5 W Larned Street (Thrun & Thrun) CHerry 3010

THRUN, FRED M, 5 W Larned St (Thrun & Thrun) CHerry 3010

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THURBER, CLEVELAND, *†‡ 3456 Penobscot Bldg (Miller, Canfield, Paddock & Stone) CHerry 6420

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TITTENHOFER, STEPHEN, ‡ 712 Buhl Bldg RAndlh 7611

TOBIAS, J C, 314 Reid Bldg RAndlh 3868

TOLONEN, J A, ‡ 629 Buhl Bldg RAndlh 1829

TOMS, HON ROBERT M, †‡ County Bldg (Judge, Wayne County Circuit Court) RAndlh 2370

TOOHY, CLIFFORD M, *†‡ 1601-13 Dime Bk Bldg (Lightner, Hanley, Crawford, Sweeny & Dodd) CAdlac 0200

TOPPER, SAMUEL T, 1529 Barlum Tower RAndlh 1313

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TOWNE, HARVEY W, 1005 Cadillac Square Bldg CAdlac 5037

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TRAVIS, DeHULL N, ‡ Algonac, Mich

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TREVOR, WALTER M, * 1538 Dime Bk Bldg RAndlh 3633

TRODEN, AUGUSTUS C, 6351 Gratiot Ave IVnhoe 6540

TROTMAN, EDWARD E, 1500 Cadillac Sq Bldg CAdlac 8290

TROWBRIDGE, ALBERT H, 1118 Ford Bldg RAndlh 1040

TROWBRIDGE, L S, 1118 Ford Bldg RAndlh 1040

TROWBRIDGE, L S, Jr, 1118 Ford Bldg RAndlh 1040

TRUPIS, ANTHONY A, 506 Guaranty Bldg CHerry 8556

TSANGADAS, C A, ‡ 2433 Barlum Tower CAdlac 8940

TUCKER, JACK N, 515 Barlum Tower (Associate—Maurice Sugar) CAdlac-8399

TUCKER, LOUIS, 1602 Barlum Tower CAdlac 7533

TUER, HARRY A, 1750 Penobscot Bldg CAdlac 2808

TURNER, JAMES, *†‡ 2104 Dime Bk Bldg (Angell, Turner, Dyer & Meek) CAdlac 5470

TYLER, DONALD K, ‡ 1906 Dime Bk Bldg (Associate—Pear, Beattie & Langs) CHerry 1883

TYSON, WM B, ‡ 1308 Broadway CAdlac 1770

U

UDALE, STANLEY M, *‡ [MP] c/o Holley Carburetor Co, Vancouver Ave GArfld 1500

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UDOW, JACK B, 1529 Barlum Tower (Associate of Sam'l D Coburn) CAdlac 9682

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UNDERWOOD, RICHARD L, [AP] [MP] 2016-7 Dime Bk Bldg (Associate—Parker & Burton) RAndlh 0310

URQUHART, ARTHUR G, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) CHerry 8142

UVICK, JOSEPH P., 5 W Larned St .... CAdlac 9540

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VAN AUKEN, HOWELL, †‡ 3114 Un Guar Bldg (Lucking, VanAuken & Sprague) .... RAndlh 6420

VAN BLARCOM, CLIFFORD, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) .... CHerry 8142

VANCE, JOSEPH A, JR, ‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

VANDEVEER, FRED L, ‡ 2606 Un Guar Bldg (Vandeveer & Vandeveer) .... RAndlh 3227

VANDEVEER, LEROY G, ‡ 2606 Un Guar Bldg (Vandeveer & Vandeveer) .... RAndlh 3227

VANDEVEER & VANDEVEER, 2606 Un Guar Bldg .... RAndlh 3227
Firm—Fred L and Leroy G Vandeveer

VAN DE VERDE, A, 606 Guaranty Bldg .... CAdlac 2153

VAN DYKE, WILLIAM, ‡ 1801 Dime Bk Bldg (Associate—Alex J Groesbeck) .... RAndlh 6341

VAN OSDOL, WAYNE, ‡ 1644 Buhl Bldg .... RAndlh 3030

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Ass't Corporation Counsel .... CHerry 1260

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VER WIEBE, LOUIS B, 521 Transportation Bldg .... RAndlh 3405

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VIDEAN, C W, ‡ 1439 Book Tower .... CAdlac 3002

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VOORHIES, PAUL W, *†‡ 2046 Penobscot Bldg (Goodenough, Voorhies, Long & Ryan) .... CAdlac 8850

W

WACHS, HARRY H, ‡ 3217 Barlum Tower .... CHerry 6438

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WAGNER, CHARLES A, ‡ 2288 First Nat Bk Bldg (Associate—Stevenson, Butzel, Eaman & Long) .... CHerry 8142

WAGNER, JOHN F, ‡ 1203 Majestic Bldg (Associate—F C Cook & J P O'Hara) .... CAdlac 3680

WAIT, HARRY H, ‡ 1510 Ford Bldg .... RAndlh 7906

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WALKIEWICZ, WATSON, § 1001 Barlum Tower .... CAdlac 8121

WALLACE, DONALD A, ‡ 1007 Lafayette Bldg .... CAdlac 9149

WALLACE, MAXWELL V, 748 Buhl Bldg (Associate of Longley, Bogle & Middleton) .... CHerry 0920

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WALSH, BERNARD L, ‡ 600 Buhl Bldg .... CHerry 9558

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WALTER, FREDERICK R, 2378 First Nat Bk Bldg (Associate of Byrant, Lincoln, Miller & Bevan....) .... RAndlh 8620

WALTERS, CARMICHAEL & HEAD, 924 Ford Bldg .... RAndlh 6373-4
Firm — H. C. Walters, Frank Walters, A. O. Carmichael, C. P. Head
Associates — Nathan R. Berke, E. H. Goodman, Jr.

WALTERS, FRANK, 924 Ford Bldg (Walters, Carmichael & Head) .... RAndlh 6373-4

WALTERS, HENRY C, †‡ 924 Ford Bldg (Walters, Carmichael & Head) .... RAndlh 6373-4

WARD, FREDERICK J, ‡ 1117 Dime Bk Bldg .... RAndlh 1910

WARD, LEO J, 714 Ford Bldg .... RAndlh 3360

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WARNING, HARRY E, ‡ 2479 First Nat Bk Bldg .... CHerry 7077

WARREN, CHARLES B, †‡ 2822 Un Guar Bldg (Warren, Hill, Hamblen, Essery & Lewis) .... RAndlh 6485

WARREN, CHARLES B, JR, 2822 Un Guar Bldg (Associate—Warren, Hill, Hamblen, Essery & Lewis) .... RAndlh 6485

WARREN, HILL, HAMBLEN, ESSERY & LEWIS, 2822 Un Guar Bldg .... RAndlh 6485
Firm—C B Warren, S A Hill, J G Hamblen, Jr, C V Essery, C E Lewis, W C Allee, S D Foster, R A Forsyth, W H Granse, E H Yost, T H Adams
Associates—C C Andrews, P J Power, J K Worley, Austin Fleming, W N Gall, C B Warren, Jr

WASTELL, STANFORD C, 925 Hammond Bldg .... RAndlh 3158

WATKINS, JAMES K, *†‡ 1022 Ford Bldg (Lewis & Watkins) .... RAndlh 3674

WATKINS, JOHN R, ‡ 1022 Ford Bldg (Lewis & Watkins) .... RAndlh 3674

WATSON, FRANK H, 1211 Griswold Bldg (Atty Gen Office) .... RAndlh 6680

WATSON, F R, 305 Guaranty Bldg .... RAndlh 6577

WATSON, HARRISON T., ‡ 2126 Dime Bk Bldg (Atkinson, Ortman, Shock & Watson) .... CAdlac 1897

WATTS, JOHN B, 2761 Un Guar Bldg (Watts & Van Alsburg) .... CAdlac 1061

WATTS, HON JOHN D, ‡ Room 109 County Bldg (Judge, Common Pleas Court) .... RAndlh 2370

WATTS & VAN ALSBURG, 2761 Un Guar Bldg .... CAdlac 1061
Firm—J. B. Watts, D. J. Van Alsburg

WEADOCK, BERNARD F., ‡ 420 Lexington Ave., New York City

WEADOCK, PAUL, *†‡ 3380 Penobscot Bldg (Carey, Armstrong, Weadock & Essery) .... RAndlh 8710

WEADOCK, THOMAS A E, *‡ 810 Hammond Bldg .... RAndlh 1438
(Supreme Court Justice Oct. 1 to Dec. 1, 1933)

WEAKLEY, WILLIAM J, *‡ 1600 Buhl Bldg .... CHerry 3200

WEAVER, JUSTIN C, *†‡ 1104 Dime Bk Bldg (Associate — Oxtoby, Robison & Hull) .... RAndlh 5210

WEAVER, RONALD R, ‡ 1114 Majestic Bldg (Bishop & Weaver) .... CAdlac 5231

WEBB, CHAS G, Room 704, 206 E Gr River (Davis, Landers, Saks & Webb) .... CAdlac 3165

WEBB, WILLIAM, Room 704, 206 E Gr River (Davis, Landers, Saks & Webb) .... CAdlac 3165

WEBER, CHARLES J, ‡ 2826 Stott Bldg .... RAndlh 1750

WEBER, KENNETH C, ‡ 1221 Lafayette Bldg .... CAdlac 5440

WEBER, LORNE W, 1911 Dime Bk Bldg .... CAdlac 3326

WEBSTER, HON ARTHUR, †‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

WEBSTER, HON CLYDE I, ‡ County Bldg (Judge, Wayne County Circuit Court) .... RAndlh 2370

WEEMAN, F STANLEY, ‡ 1017 Penobscot Bldg .... RAndlh 1860

WEHMEIER, VICTOR H, ‡ 2010 Stott Bldg .... RAndlh 2890-1

WEIDEMAN, CARL M., ‡ 3501 Barlum Tower (Weideman & Kramer) .... RAndlh 4066

WEIDEMAN, FREDERICK G., ‡ 3601 Barlum Tower .... CAdlac 7751

WEIDEMAN, HENRY H, 3501 Barlum Tower (Associate — Weideman & Kramer) .... RAndlh 4066

WEIDEMAN & KRAMER, 3501 Barlum Tower .... RAndlh 4066
Firm—C. M. Weideman, H. A. Kramer
Associate—H. H. Weideman

WEIL, HERBERT M, ‡ 700 Fidelity Bldg .... CAdlac 2080
Associates—Stanley Gelfund, E S Bartlett

WEINERT, H F, 13739 Gratiot Ave .... PIngre 6323

WEINGARDEN, CHAS M, 1724 Un Guar Bldg .... CHerry 4044

WEINSTEIN, MILTON M, 2162 First Nat Bk Bldg .... CAdlac 3984

WEINZAPFEL, MATTHEW J, 4429 Maple Rd, Dearborn .... ORegon 7134

WEISENFELD & BERRIS, 957 First Nat Bk Bldg .... CAdlac 8788
Firm—Meyer Weisenfeld, David I Berris

WEISENFELD, MEYER, ‡ 957 First Nat Bk Bldg (Weisenfeld & Berris) .... CAdlac 8788

WEISMAN, PHILIP S, 910 Buhl Bldg (Associate—Alfred A. Klunover) .... CHerry 1767-8

WEISMAN, SAMUEL, 1959 First Nat Bk Bldg .... CAdlac 4924

WEISMAN, SAMUEL H, 1157 First Nat Bk Bldg .... CHerry 8080

WEISS, JOSEPH M, ‡ 531 Penobscot Bldg .... RAndlh 0363

WEISS, WILLIAM, ‡ 628 Penobscot Bldg .... RAndlh 7519

WEISWASSER, AARON, ‡ 725-32 Dime Bk Bldg (Associate—Friedman, Meyers & Keys) ....

WEITZMAN, CLEM, 212 County Bldg (Deputy Court Clerk .... RAndlh 2370

WEITZMAN, LEWIS J, ‡ 2450 First Nat Bk Bldg .... CAdlac 1965

WELBON, FRANK G, Jr, 4181 Oakman Blvd .... HOgrth 1421

WELBON, GEO T, 8780 Gr River Ave .... EUclid 4020

WELCH, EDWARD M, ‡ 601 Lawyers Bldg .... RAndlh 1122

WELDAY, DONALD F, ‡ 429 Ford Bldg .... CAdlac 5110

WELLER, SAMUEL L, ‡ 2102 Barlum Tower .... RAndlh 7582

WELLS, EVERETT H, *†‡ 2761 Un Guar Bldg .... CAdlac 3122

WELSH, BEBOUT, HILL & LEE, 1534 Un Guar Bldg .... RAndlh 6300
Firm—C F Welsh, G N Bebout, C G Hill, H W Lee
Associates—L B Robertson, W J Beer, K N Masters, E J Northway

WELSH, CHARLES F, *†‡ 1534 Un Guar Bldg (Welsh, Bebout, Hill & Lee) .... RAndlh 6300

WERNETTE, CURTIS D, 916 Ford Bldg .... RAndlh 3101

WEST, JEWEL E, 1510 Ford Bldg .... RAndlh 7906

WETHERBEE, R NOBLE, 817 Penobscot Bldg .... RAndlh 1693-4

WEXLER, DONALD S, 2150 First Nat Bk Bldg .... CHerry 5366

WEYHER, FREDERICK C, ‡ 1102 Penobscot Bldg .... RAndlh 1483

WHEAT, RENVILLE, *†‡ 2746 Penobscot Bldg (Dykema, Jones & Wheat) .... CHerry 6040

WHEELER, WALTER S, 1926 Dime Bk Bldg .... CAdlac 4210

WHIPPLE, ARTHUR E, 3201 Barlum Tower .... RAndlh 3350

WHIPPLE, FRANK E, ‡ 807 Guaranty Bldg .... CAdlac 0065

WHITCHURCH, CARL L, ‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston) .... CAdlac 7900

WHITE, HOWELL S, ‡ (Legal Dept, Old First Nat Bk) Michigan Ave at Griswold) .... CHerry 8700

WHITE, THOMAS B, ‡ 1513 First Nat Bk Bldg (Associate—Riggs, Smith & Snyder) .... RAndlh 4272
(Auditor General's Office, Lansing, Mich.)

WHITING, DUDLEY E, ‡ 606 Guaranty Bldg .... CAdlac 7024

WHITTEMORE, HULBERT, WHITTEMORE & BELKNAP, 3053 Penobscot Bldg .... RAndlh 6192
Firm — Jas. Whittemore (Retired), P. M. Hulbert, L. J. Whittemore, W. J. Belknap, C. B. Belknap, G. E. Moore, A. R. Whittington, C. B. Zewadski, L. G. Hulbert, W. H. Gross, A. C. Beaumont
Associates—C. E. Gross, S. J. Briesmaster

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(Whittemore, Hulbert, Whittemore & Belknap).

WICKER, SETH J, † 926 Majestic Bldg .... CAdlac 2623

WICKER, WILLIAM W., 951 Penobscot Bldg. .... RAndlh 7700

WICKEY, HARRY L., ‡ 1359 First National Bank Bldg .... CAdlac 8998
Associate—H. L. Aichel

WICKLUND, GEORGE, 4120 Fenkell Ave. .... UNivty 1-5744
Firm—Burkman & Wicklund.

WIENNER, HARRIS W, 717 Penobscot Bldg .... CHerry 0632

WIESELBERG, PAUL J, ‡ 1417 Penobscot Bldg .... RAndlh 6177

WILBER, GLENN C., Jr., 1442 Majestic Bldg. .... RAndlh 7600
Associate—Schmalzreidt, Frye, Granse & Frye.

WILCOX, CLARENCE E, *†‡ 1928 Buhl Bldg (Anderson, Wilcox, Lacy & Lawson) .... CAdlac 3650

WILDS, HARVEY B M, *† 1106 Guaranty Bldg .... CHerry 5550

WILEY, MERLIN, *†‡ 1925 Dime Bk Bldg (Wiley, Streeter, Smith & Ford) .... CAdlac 4752

WILEY, STREETER, SMITH & FORD, 1925 Dime Bk Bldg .... CAdlac 4752
Firm—Merlin Wiley, Howard Streeter, O L Smith, Richard Ford
Associates—Leon R Jones, C W Brownell

WILKINSON, LOWTHER & O'CONNELL, 1425-31 Dime Bk Bldg .... CAdlac 0733
Firm—R B Wilkinson, H J Lowther, Jr, W B O'Connell
Associate—D B Smith

WILKINSON, RALPH B, ‡ 1425-31 Dime Bk Bldg (Wilkinson, Lowther & O'Connell) .... CAdlac 0733

WILLARD, ART, ‡ 8557 Jos. Campau Ave. .... MAdson 6894

WILLETT, FLOYD S., ‡ 640 Free Press Bldg. .... CAdlac 1377

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WILLIAMS, A. HILLARD, ‡ 2288 First National Bank Bldg .... CHerry 8142
Associate—Stevenson, Butzel, Eaman & Long.

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Associate—Bolio, Temple & Schafer.

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WILLIAMS, GEORGE K, § 700 Guaranty Bldg .... CHerry 4060

WILLIAMS, J. C., 817 Penobscot Bldg. .... CAdlac 3883

WILLIAMS, PHILIP J., 1130 Majestic Bldg. .... CHerry 6393

WILLIAMS, W HUGH, Cahalan Bldg, Wyandotte (City Atty) .... WYndot 209

WILLIAMS, W. K., 6-211 Gen. Motors Bldg. .... MAdson 8600
Consulting Counsel—Pere Marquette R. R.

WILLIS, SAMUEL S, ‡¶ 1975 Penobscot Bldg (Associate of Edw A Rich) (President, Lawyers Club of Detroit) .... CHerry 4144

WILLITS, G. H., 11th Fl., Gen. Motors Bldg. .... TRinty 2-4600
Patent Section — Gen. Motors Corp.

WILMOT, WILLIAM H., ‡ 603 Pontiac Bank Bldg., Pontiac, Mich. .. POntic 6922

WILSON, CASSAM A., †‡ 1164 Penobscot Bldg. (Universal Credit Corp.) .... CHerry 9600

WILSON, CLARENCE T, ‡ 1833 Dime Bk Bldg .... CAdlac 0050

WILSON, GEORGE C, 716 Junction Ave at W Fort St .... VInewd 1-9225

WILSON, GEORGE H., 302 County Bldg. (Dep. Probate Register) .... RAndlh 2370

WILSON, GEORGE S., 2763 Union Guardian Bldg. .... CAdlac 6939

WILSON, HAL P., †‡ 3133 Barlum Tower .... RAndlh 0600
Firm—Guy W. Moore and Hal P. Wilson.

WILSON, J. CLAIR, 1257 First Nat. Bank Bldg. .... RAndlh 6219

WILSON, J. FREDERICK, ‡ Commonwealth Commercial State Bank .... CHerry 0343

WIMSATT & McCABE, 2457 First Nat Bk Bldg (J I Wimsatt, G E McCabe) .... CHerry 4477

WIMSATT, JAMES I, ‡ 2457 First Nat Bk Bldg (Wimsatt & McCabe) .... CHerry 4477

WINER, ARTHUR Y., ‡ 1440 Book Bldg. .... CAdlac 3002

WING, LEO, †‡ 1326 Dime Bank Bldg. .... RAndlh 4044
Firm—Munro, Powell, Wing & Covey.

WINSTOK, IRVING, 1363 First Nat Bk Bldg .... CHerry 1844

WINSTON, HARRY L, *†‡ 1990 First Nat Bk Bldg (Butzel, Levin & Winston) .... CAdlac 7900

WINTER, BEN, ‡ Berkely, Mich.....

WINTER, J. C., ‡ 806 Stott Bldg...CAdlac 3506

WINTER, ROBERT C, ‡ 27th Fl Un Guar Bldg (Associate of Clark, Klein, Ferris & Cook)....RAndlh 5090

WINTERHALTER, JULIEN, 2117 Dime Bank Bldg. .... CAdlac 9638

WISE, J MERTON, ‡ 1557 First Nat Bk Bldg .... CAdlac 4530

WISNER, EMENS B, [MP] 850 Penobscot Bldg .... RAndlh 4646

WISNER, OTTO G., †‡ Bankers Trust Co., 205 W. Congress St...CAdlac 9602

WISNER, R. E., 2301 Barlum Tower .... CADlac 4907—CAdlac 4910

WISOK, NORTON U., 1203 Barlum Tower .... CHerry 1177

WISOK, S. ROBERT, 1203 Barlum Tower .... CHerry 1177

WITHERSPOON, JOHN H, ‡ 301 City Hall .... CHerry 9640
(Asst Corporation Counsel)........ CHerry 1260

WOJCINSKI, ROBERT J, 2297 E Forest Ave (Koscinski & Wojcinski) .... TEmple 2-6530

WOLCOTT, STANLEY C., 1117 Dime Bank Bldg. .... RAndlh 1910

WOLFE, BENTON, ‡ 409 Charlevoix Bldg. .... RAndlh 3468
Firm—Hanley, Gould & Wolfe.

WOLFE, BENTON B, ‡ 513 Fidelity Bldg .... RAndlh 3468

WOLFE, IRVING S., 1113 Ford Bldg. .... CAdlac 6130

WOLFE, JAMES J, 206 Hammond Bldg .... RAndlh 7295

WOLFE, LOUIS H, ‡ 812 Hammond Bldg .... RAndlh 0545

WOLFE, MILFORD A., ‡ 802 Majestic Bldg. .... CAdlac 9277
Associate—Colby, Berns & Costello.

WOLFE, MORTON L, 2450 First Nat Bk Bldg .... CAdlac 1964-5

WOLFF, DAVID A, ‡ 516 Lafayette Bldg (Ass't U S Attorney) .... CAdlac 5830-1-2-3-4

WOLFGANG, MOE, 1117 Penobscot Bldg. .... CAdlac 8090

WOOD, ARTHUR R, ‡ 3503 Barlum Tower .... CAdlac 3779

WOOD, ELLIS C, 806 Dime Bk Bldg (Hatfield, Hall & Wood)...... CAdlac 1940

WOOD, HOWARD E., 10490 W. Jefferson, River Rouge .... VInewd 2-1292

WOOD, J. CHARLES, 1411 Dime Bank Bldg .... CAdlac 8595

WOOD, JOHN F., 533 Dime Bank Bldg. .... CHerry 6288

WOOD, MILTON C, ‡ 3456 Penobscot Bldg (Associate of Miller, Canfield, Paddock & Stone)........ CHerry 6420

WOODFORD, ZAIO A., (Miss) ‡ 2484 First Nat. Bank Bldg. .... CAdlac 3322

WOODLIFF, ROBERT S, 503 Guaranty Bldg (City Att'y, Melvindale, Mich) .... RAndlh 6885

WOODRUFF, A. E., 2836 Biddle St., Wyandotte, Mich. .... WYndte 160

WORLEY, JOHN K, ‡ 2822 Un Guar Bldg (Associate—Warren, Hill, Hamblen, Essery & Lewis..RAndlh 6485

WORSHAM, THOMAS S, ‡ 804 Penobscot Bldg (Lindley, Delaney & Worsham) .... CAdlac 2346-7-8

WRIGHT, CHARLES, Jr, †‡ 2900 Un Guar Bldg (Beaumont, Smith & Harris) .... RAndlh 1903

WRIGHT, DONOVAN A, 2763 Un Guar Bldg (Thomsen & Wright) CAdlac 6939

WRIGHT, EDWARD P., *†‡ 3000 Union Guardian Bldg. .... RAndlh 5860
Firm—Bulkley, Ledyard, Dickinson & Wright.

WRIGHT, EVERETT G., 1911 Dime Bank Bldg. .... CAdlac 3326

WROBLEWSKI, EDWARD Z., ‡ 6631 Maxwell .... WHiter 2215

WUNSCH, EDWARD F., ‡ 706 Dime Bank Bldg. .... CAdlac 3850

WUNSCH, ERNEST, †‡ 706 Dime Bldg. .... CAdlac 3850

WUNSCH, HENRY, *†‡ 706 Dime Bank Bldg. .... CAdlac 3850

WURZER & HIGGINS, 1632 Buhl Bldg. .... CAdlac 5862
Firm—L. C. Wurzer, J. T. Higgins.

WURZER, LOUIS C, †‡ 1632 Buhl Bldg (Wurzer & Higgins) .... CAdlac 5862

WYNN, FRED F, †‡ 2346 Penobscot Bldg (Wynn, Zinn & Freimuth) .... CAdlac 0126

WYNN, ZINN & FREIMUTH, 2346 Penobscot Bldg .... CAdlac 0126
Firm—F F Wynn, B F Zinn, W A Freimuth

Y

YEARSLEY, WILBUR K, ‡ 929 Penobscot Bldg (Associate of Robinson & Jones) .... CAdlac 4340

YERKES, GEORGE B, †‡ 600 Fidelity Bldg (Yerkes, Goddard & McClintock) .... RAndlh 1916

YERKES, GODDARD & McCLINTOCK, 600 Fidelity Bldg .... RAndlh 1916
Firm—G B Yerkes, K B Goddard, J I McClintock, R G Yerkes
Associates—E S Sells, L C Putnam, S T Johnson, G W Keithley, F W Donovan.
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YERKES, MALCOLM C, ‡ 730 Whitmore .... UNivty 1-3856

YERKES, ROBERT G, †‡ 600 Fidelity Bldg (Yerkes, Goddard & McClintock) .... RAndlh 1916

YESSAYAN, THEODORE H, ‡ 717 Penobscot Bldg .... CHerry 0632

YOE, JOHN H, ‡ 2479 First Nat Bk Bldg .... CHerry 7077

YOEDICKE, LEO, 717 Dime Bk Bldg (Benjamin & Yoedicke) .... CAdlac 9069

YOKOM, FORD M, ‡ 407-8 Guaranty Bldg .... RAndlh 3884

YORK, BERTRAND D, 1917 Dime Bk Bldg .... RAndlh 1304

YOST, EDWARD H, ‡ 2822 Un Guar Bldg (Member—Warren, Hill, Hamblen, Essery & Lewis) ....RAndlh 6485

YOUNG, EARL B, ‡ City Hall, 30 Gerald St, Highland Park (City Att'y) ....LOngfw 5400

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YOUNG, HARRY H., 2162 First Nat Bk Bldg ....CAdlac 3984

YOUNG, LESLIE P, 933 Dime Bk Bldg (Reid & Young) ....CAdlac 1950

YOUNGJOHN, CHRIS M, *‡ 1990 First Nat Bk Bldg (Associate of Butzel, Levin & Winston)........CAdlac 7900

YOUNGLOVE, LYLE G, ‡ 1509 Ford Bldg ....RAndlh 7906

YOUSSEPHANY, J. F., ‡ 2302 Buhl Bldg ....CAdlac 6724

Z

ZACK, N C, ‡ 816 Fidelity Bldg (Associate—Oscar A. Riopelle) RAndlh 1042

ZEIGLER, JOHN R, 1226 Dime Bk Bldg ....CAdlac 2547

ZEKIND, CHAS F, 1225 Woodward Ave (Klines) ....RAndlh 7200

ZELEZNIK, ARNOLD F., 1724 Un Guar Bldg ....CAdlac 7274

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ZIRKALOSE, HARRY B, ‡ 2120 Un Guar Bldg (Formerly Zirkalose & Smith) ....RAndlh 1244
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ZMUDA, DANIEL, 817 Penobscot Bldg ....CAdlac 6639

ZWERDLING, MORRIS, †‡ 1976 First Nat Bk Bldg........CAdlac 5434

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(Patent Section Gen Motors Corp.)

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BARTHEL, O. E., * [AP] [MP] 1034-40 First Nat Bk Blg....CAdlac 4115
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BINNS & LIGHTFOOT, 408 Penobscot Bldg ....CHerry 3437
Firm—R. S. Binns, Stanley Lightfoot

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CULLEN, DANIEL G., 2020 Un Guar Bldg ....CHerry 6900

DICKEY, ARTHUR W., *†‡ [MP] 7-141 Gen Motors Bldg....MAdson 2300
(Harness, Dickey, Pierce & Hann)

DIKE, CALVER & GRAY, 2563 Un Guar Bldg ....CHerry 6410
Firm—Geo P Dike, A W Calver, Elmer J Gray
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DIKEMAN, MYRON, 911 Majestic Bldg ....CAdlac 6553

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EVELETH, E. S., 11th fl Gen Motors Bldg ....TRinty 2-4600
(Patent Section—Gen Motors Corp)

FARLEY, I. JOSEPH, 748 Buhl Bldg .... CHerry 0920
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(Barthel, Flanders & Barthel)

FLINT, R. N., 11 fl Gen Motors Bldg .... TRinty 2-4600
(Patent Section—Gen Motors Corp.)

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(Swan, Frye & Hardesty)

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ANDERSON, J. DONALD, 1112 Lafayette Bldg, Detroit.......CAdlac 7060

ANDERSON, RAYMOND,* 436 Stuart Ave, Kalmazoo.......

ANGELL, C. ROBERT, 910 Lafayette Bldg, Detroit.......CAdlac 1105
Firm—Colegrove, Murphy & Angell

ASHMAN, EVAN T.,* 11801 Mack Ave, Detroit.......

AYLING, U. WILLIAM, 198 Highland Ave, Detroit.......TOwnsd 6-7628

BAILEY, GEORGE D., 1880 First National Bk Bldg, Detroit.......CAdlac 6015
Firm— Ernst & Ernst

BALL, W. H., 1960 First National Bank Bldg, Detroit.......CAdlac 3658
Firm—W. H. Ball & Co.

BARR, EDWARD J., 2912 Book Bldg, Detroit.......CAdlac 1803
Firm—Lybrand, Ross Bros. & Montgomery

BARRETT, A. L., 1880 First National Bk Bldg, Detroit.......CAdlac 6015
Firm—Ernst & Ernst

BARTROP, JAMES W., 410 Dime Bk Bldg, Detroit.......CAdlac 2638
Firm—Peat, Marwick, Mitchell & Co.

BECK, HOWARD C., 835 Woodward Bldg, Washington, D. C.......

BENEDICT, LEO A., P. O. Box 164 Flint.......

BERGER, HARVEY H., 2000 Penobscot Bldg, Detroit.......CAdlac 7251

BERKEY, S. R., 924 G. R. National Bk Bldg, Grand Rapids.......
Firm—Lawrence Scudder & Co.

BERNARD, W. V., 2263 First National Bk Bldg, Detroit.......CAdlac 9814
Firm—Rosenthaler, Bernard & Co.

BERNSTEIN, MILTON, 616 Ford Bldg, Detroit.......RAndlh 5033

BERRY, LEO A., 2624 W. Grand Blvd, Detroit.......MAdson 8300
Firm—Berry & Moran

BEYERLE, HENRY J., 405 Guaranty Bldg, Detroit.......CAdlac 7301
Firm—A. E. Duncan & Co.

BLANCHARD, G. F., 326 Houseman Bldg, Grand Rapids.......

BLOOMBERG, LOUIS M., 808 Park Ave Bldg, Detroit.......RAndlh 1405
Firm—L. M. Bloomberg & Co.

BOEKLE, O. I., 484 E Grand Blvd, Detroit.......FItzry 5370

BONCZAK, ADAM E., 381 Elmhurst hurst Ave, Highland Park.......TOwnsd 6-2826

BONTHRON, W. D., 1946 Penobscot Bldg, Detroit.......CAdlac 3400
Firm—Price, Waterhouse & Co.

BOOTHE, J. LEE, 1355 Book Bldg, Detroit.......CAdlac 8960

BRIGGS, R. P., State Savings Bk Bldg, Ann Arbor
Firm—Paton & Ross

BULLOCK, CYRIL N., 1601 First National Bk Bldg, Detroit.......CAdlac 1555
Firm—Haskins & Sells

BURLESON, H. W., 1880 First National Bk Bldg, Detroit.......CAdlac 6015
Firm—Ernst & Ernst

BUSCH, JOHN L., 932 Buhl Bldg, Detroit.......CAdlac 4798
Firm—Miller, Bailey & Co.

BUTLER, WILLIAM, 105 Monantum St, Newton, Mass.......

CAMPBELL, A. J., 726 Griswold St, Jackson.......
Firm—A. J. Campbell & Co.

CASSEL, CHARLES T., 701 Cadillac Square Bldg, Detroit.......CAdlac 2124
Firm—C. T. Cassel & Co.

CLINTON, ROBERT E., 1981 First National Bk Bldg, Detroit.......CAdlac 3389
Firm—Robert E. Clinton & Co.

COLEGROVE, ALBERT E., 910 Lafayette Bldg, Detroit.......CAdlac 1105
Firm—Colegrove, Murphy & Angell

COLLINS, K. S., 204 United Savings Bk Bldg, Detroit.......CHerry 1643
Firm—Kins Collins & Co.

CRANDALL, LAVERN C., 120 Madison Ave, Detroit.......CHerry 5742
Firm—Walsh & Co.

CURTIS, A. B., 2 Ballard Street, Ypsilanti.......

DIMMER, GRACE, 3126 David Stott Bldg, Detroit.......RAndlh 4974

DODGE, S. A., 14036 Robson Ave, Detroit.......HOgrth 8921

DONOVAN, ROBERT J., 3223 Barlum Tower, Detroit.......CAdlac 7934
Firm—Isenberg, Purdy & Co.

DUNCAN, ALBERT E., 405 Guaranty Bldg, Detroit.......CAdlac 7301
Firm—A. E. Duncan & Co.

DYER, CARTER H., 501 Wiechman Bldg, Saginaw.......

EHRMAN, A. W., 1501 Barlum Tower, Detroit.......RAndlh 1500
Firm—A. W. Ehrman & Co.

ELSHOLZ, WILLIAM J., 3214 Book Bldg, Detroit.......CAdlac 7993
Firm—Parker, Davidson & Elsholz

ENGSTROM, PAUL V., 1601 First National Bk Bldg, Detroit.......CAdlac 1555
Firm—Haskins & Sells

EVANS, THOMAS H., 2035 Dime Bk Bldg, Detroit ....CAdlac 2148
Firm—Evans Audit Company

FADDIS, THOMAS M.,* 6000 Russell St, Detroit........

FERGUSON, WM. M., 604 Fisher Bldg, Detroit ....MAdson 1857

FICK, H. W., 825 J. M. S. Bldg, South Bend, Indiana........
Firm—Willet, Fick & Wharton

FITZGERALD, ARTHUR, 24 Equity Chambers, Windsor, Ontario........

FLETCHER, E. H., 1600 Buhl Bldg, Detroit ....CHerry 3200
Firm—Staub, Fletcher & Van Tifflin

FLINN, B. W., 502 Manufacturers Bk Bldg, Rockford, Illinois........
Firm—Seidman & Seidman

FOWLER, E. E., 3401 Martin Ave, Detroit ....

FOY, ARPHAXAD,* 414 Laurel Ave, Wilmette, Illinois ....

GIBBS, GEORGE R., 607 Transportation Bldg, Detroit........RAndlh 1600
Firm—Geo. R. Gibbs & Co.

GOODSELL, W. J., 944 Book Bldg, Detroit ....RAndlh 0358
Firm—Horwart & Horwarth

GRAINGER, ROBERT, 1114 Bank of Kalamazoo Bldg, Kalamazoo
Firm—Ernst & Ernst

GREEN, B. J., City Hall, Grand Rapids ....

GROSS, RUDOLPH J., 17321 Wisconsin, Detroit ....UNirty 2-1566

GROTH, WILLIAM C., 8854 Monica Ave, Detroit ....EUclid 6096

GRUNDY, A. J., 2035 Dime Bk Bldg, Detroit ....CAdlac 1087
Firm—Grundy Audit Co.

HALL, JOHN W., 1960 First National Bk Bldg, Detroit........CAdlac 3658
Firm—W. H. Ball & Co.

HALSEY, HARRY C., 411 W Michigan Ave, Jackson ....

HARRIS, CHARLES K., 1317 Griswold Bldg, Detroit ....CAdlac 3338
Firm—Charles K. Harris Co.

HARRIS, MAX D., 225 South Capitol Ave, Lansing ....
Firm—Jerome & Harris Co.

HATHAWAY, HARRY A., 806 Guaranty Bldg, Detroit........CAdlac 0714

HAWKINS, NORWAL A., 503 Insurance Exchange Bldg, Detroit ....CAdlac 1931
Firm—Hawkins, Gies & Co.

HEATH, GEORGE W., 410 Dime Bk Bldg, Detroit ....CAdlac 2638
Firm—Peat, Marwick, Mitchell & Co.

HEINKE, L. H.* 2200 Bankers Bldg, Chicago, Illinois ....

HEPFER, LYLE D., 1102 Capitol Bank Tower, Lansing ....

HIGGINS, HARRY ALLEN,* Marquette ....

HOLT, WILLIAM H., 2126 Union Guardian Bldg, Detroit ....RAndlh 6591
Firm—Arthur Young & Co.

HUENI, JOHN F., 626 Washtenaw Ave, Lansing ....

HUFFMON, H. GLENN, 2912 Book Bldg, Detroit ....CAdlac 1803
Firm—Lybrand, Ross Bros. & Montgomery

HUMMEL, JOSEPH H., 606 Michigan Trust Bldg, Grand Rapids....
Firm—J. H. Hummel and A. P. Kuyper

ISENBERG, WM. B., 3223 Barlum Tower, Detroit ....CAdlac 7934
Firm—Isenberg, Purdy & Co.

JACKSON, THOMAS, 1946 Penobscot Bldg, Detroit ....CAdlac 3400
Firm—Price, Waterhouse & Co.

JANES, SIMEON, 505 Basso Bldg, Detroit ....MAdson 2228
Firm—Janes, Shepard & Co.

JEROME, J. J., 225 South Capitol Ave, Lansing ....
Firm—Jerome & Harris Co.

JONES, FRANK H., 4 Stevens Blk, Port Huron ....

JUENGEL, L. G., 101 North Sycamore, Lansing ....

KALBFLEISH, A. H., 80 W. Grand St, Mt. Vernon, New York........

KAYWOOD, ROY T., 411 W. Michigan Ave, Jackson ....

KEAYS, ROLAND B., 2035 Dime Bk Bldg, Detroit ....CAdlac 2148
Firm—Evans Audit Co.

KEYES, HAROLD B., 418 City National Bk Bldg, Battle Creek....

KIMBALL, DONALD M., 3066 Penobscot Bldg, Detroit ....CAdlac 0271
Firm—Barrow, Wade, Guthrie & Co.

KINGSLEY, GEORGE H.,* 500 Fifth Ave., New York, N. Y.
Firm—Geo. H. Kingsley & Co.

KNAPE, R. F., 262 Orchard Hill, Grand Rapids ....
Firm—Seidman & Seidman.

KNIGHT, JAMES W., 548 Buhl Bldg, Detroit ....RAndlh 0642

KOEBBE, C. H., 905 G. R. Trust Bldg, Grand Rapids ....
Firm—Ernst & Ernst.

KRAMER, CLARENCE A.,* 1075 Woodward Ave, Detroit ....

KURZMAN, JOSHUA A., 309 Englewood Ave, Detroit ....

KUYPER, A. P., 606 Michigan Trust Bldg., Grand Rapids
Firm—J. H. Hummel & A. P. Kuyper.

LAUX, C. M., 3106 Union Guardian Bldg, Detroit ....CAdlac 8815
Firm—Lawrence, Scudder & Co.

LEHMAN, C. J., 932 Buhl Bldg, Detroit ....CAdlac 4798
Firm—Miller, Bailey & Co.

LELAND, GLENN H., 1240 Maccabees Bldg, Detroit ....COlmba 4111

LESLEY, P. FRED, 2000 Penobscot Bldg, Detroit ....

LUDLAM, CHAS. S., 15 Broad St, New York, New York ....
Firm—Haskins & Sells.

LYNCH, CORNELIUS J., 3214 Eaton Tower, Detroit .... CAdlac 6566
Firm—C. H. Lynch & Co.

LYNKLIP, OLE, 3087 W. Grand Blvd, Detroit .... MAdson 6234

LYNN, RAY C, 351 Hollister Bldg, Lansing ....

LYON, W. T., Grandville ....

LYONS, COLEBURKE, 1212 Lafayette Bldg, Detroit .... CAdlac 3945
Firm—Toole & Lyons

MAIHOFER, R. C., 315 Hackley Union Bk Bldg, Muskegon ....
Firm—Maihofer & Moore

McCONNELL, W. T., 2404 Eaton Tower, Detroit .... RAndlh 3571

McDONALD, JOHN A.,* P. O. Box 549, Arnprior, Ontario ....

McEWAN, C. SAMUEL, 905 G. R. Trust Building, Grand Rapids ....

McGINLEY, LEE, First National Bk Bldg, Marquette ....
Firm—Lawrence Scudder & Co.

McLAUGHLIN, L. B., 209 South LaSalle St, Chicago, Illinois ....
Firm—Financial Audit Co.

MELLEN, HARRY W., 1355 Book Bldg, Detroit .... CAdlac 8960
Firm—Richards Audit Co.

MERZ, HERMAN, 1401 Majestic Bldg, Detroit .... CAdlac 2436

MILLER, LOUIS P., 112 Madison Ave, Detroit .... CAdlac 4712
Firm—L. P. Miller Co.

MILLER, RALPH C., 932 Buhl Bldg, Detroit .... CAdlac 4798
Firm—Miller, Bailey & Co.

MILLS, HAROLD A.,* P. O. Box 33, Ann Arbor ....

MOORE, C. C., 315 Hackley Union Bk Bldg, Muskegon ....
Firm—Maihofer & Moore

MORTON, FRED W., 1401 Majestic Bldg, Detroit .... CAdlac 2436
Firm—Morton & Morton

MORTON, OLIVER H., 1401 Majestic Bldg, Detroit .... Cadlac 2436
Firm—Morton & Morton

MOUNTEER, CARLYLE E., 1664 First Natl Bk Bldg, Detroit .... RAndlh 0356
Firm—Mounteer, Wyllie & Co.

MURPHY, HARRY L., 910 Lafayette Bldg, Detroit .... CAdlac 1105
Firm—Colegrove, Murphy & Angell

NEFF, C. EARLE, 36 Peterboro, Detroit .... TEmple 1-7140
Firm—C. E. Neff & Co.

NIELSEN, LUDWIG C., 701 City National Bk Bldg, Battle Creek ....

O'LOUGHLIN, HARRY M., 1344 Free Press Bldg, Detroit .... RAndlh 0787

OLSEN, JOHN W., 17124 Ohio, Detroit .... TOwnsd 7-5362

PARKER, CRESCENT W., 3214 Book Bldg, Detroit .... CAdlac 7993
Firm—Parker, Davidson & Elsholz

PATON, WILLIAM A., State Savings Bk Bldg, Ann Arbor ....
Firm—Paton & Ross

PAYNE, ROBERT E., 1730 Bankers Bldg, Chicago, Illinois ....
Firm—Lawrence Scudder & Co.

PERRIGO, FERNANDO B., 1226 Jefferson Ave, Grand Rapids ....

PHENEY, E. T., 2157 First National Bd Bldg, Detroit .... CAdlac 3403

PINKERTON, PAUL W., 1103 Farmers Bk Bldg, Pittsburgh, Pa ....
Firm—Haskins & Sells

PORTNOY, LOUIS J., 3223 Barlum Tower, Detroit .... CAdlac 7934
Firm—Isenberg, Purdy & Co.

PURDY, ARTHUS S., 3223 Barlum Tower, Detroit .... CAdlac 7934
Firm—Isenberg, Purdy & Co.

REYNOLDS, PERRY J.,* 8051 Hamilton, Detroit ....

RICE, DUNCAN, 1207 Bank of Kalmazoo Bldg, Kalamazoo ....
Firm—Lawrence Scudder Co.

RISSNER, EARL T., 1515 Book Bldg, Detroit .... RAndlh 3810
Firm—Touche, Niven & Co.

ROBINS, WM. F., 606 Bearinger Bldg, Saginaw ....

ROOST, WM. G., 312 Hollister Bldg, Lansing ....

ROSE, RUSSEL I., 1415 Parker Ave, Detroit ....

ROSENTHALER, MARX P., 2263 First National Bk Bldg, Detroit .... CAdlac 9814
Firm—Rosenthaler, Bernard & Co.

ROSS, FRANCIS E., State Savings Bk Bldg, Ann Arbor ....
Firm—Paton & Ross

ROSS, W. F. G., 105 South LaSalle St, Chicago, Illinois ....
Firm—Peat, Marwick, Mitchell & Co.

ROWLAND, WM. C., 1949 Penobscot Bldg, Detroit .... CAdlac 2202
Firm—E. C. Little Taxation Bureau

RUDD, GEORGE H., 805 Broadway Arcade Bldg, Los Angeles, California ....

RYDEN, VICTOR E., 803 Union Industrial Bldg, Flint ....

SANFORD, ELVIN P.,* 14828 Sussex, Detroit ....

SCHAEFER, F. M.,* Albuquerque, New Mexico ....

SCHNEIDER, LOUIS, 3503 Barlum Tower, Detroit .... CAdlac 3779
Firm—Schneider & Walter

SCOTT, HAROLD W., 1601 First National Bk Bldg, Detroit .... CAdlac 1555
Firm—Haskins & Sells

SCUDDER, LAWRENCE W., 1730 Bankers Bldg, Chicago, Illinois
Firm—Lawrence Scudder & Co.

SEEHOFFER, CARL H., 15400 Parkside Ave, Detroit ....UNirty 2-5199

SHEKELL, CARDEN S., 2263 First National Bk Bldg, Detroit........CAdlac 9814
Firm—Rosenthaler, Bernard & Co.

SHULTUS, W. H., 400 Michigan St, N. E., Grand Rapids............

SMITH, DAVID, 2124 Union Guardian Bldg, Detroit..............RAndlh 8425
Firm—Smith, McKay & Co.

SMITH, EDWARD W., 902 Cadillac Square Bldg, Detroit ....CAdlac 2422
Firm—Edward W. Smith & Co.

SODERMAN, AXEL S., 543 Book Bldg, Detroit ....CAdlac 8376
Firm—Soderman & Brennan

SPRINGER, DURAND W., National Press Bldg, Washington, D. C.....

STANTON, EDWIN M., 1211 Old Merchants Tower, Battle Creek

STAUB, E. ELMER, 1600 Buhl Bldg, Detroit ....CHerry 3200
Firm—Staub, Fletcher & Vantifflin

STEWART, WILLIAM L., 2812 Book Bldg, Detroit ....CAdlac 8540
Firm—William L. Stewart & Co.

STRINGER, E. T., 901 Capitol Bank Tower, Lansing...................
Firm—Miller, Bailey & Co.

SUNLEY, W. T., * 3411 South Michigan Ave, Chicago, Illinois

SUTHERLAND, DAVID W., 1509 Old Merchants Tower, Battle Creek ....
Firm—Croydon, Sutherland & Co.

SUTHERLAND, ELMER, 365 North Arlington Ave, East Orange, New Jersey ....

TAGGART, H. F.,* 1019 Granger Ave, Ann Arbor...................................

TAHANEY, A. W.,* 491 Columbia Ave, Holland ....

TAYLOR, CONRAD B., 385 Madison Ave., New York, New York
Firm—Lybrand, Ross Bros. & Montgomery

THISTLE, E., 1981 First National Bk Bldg, Detroit..............................CAdlac 3389

THOMPSON, M. W., 230 Park Ave, New York, New York............
Firm—Thompson & Black

TILTON, F. A., 15 Broad St, New York, New York ....
Firm—Haskins & Sells

TOOLE, JOHN P., 1212 Lafayette Bldg, Detroit ....CAdlac 3945
Firm—Toole & Lyons

TOUSE, CHARLES G., 207 Phoenix Block, Bay City..............................
Firm—Monks & Touse

TOWNSEND, GORDON E., 1603 Central National Tower, Battle Creek ....

TULLY, HENRY F., 2332 Park Ave, Detroit ....CHerry 4200

UTLEY, F. D., 2055 Union Guardian Bldg, Detroit ....CAdlac 4896
Firm—Arthur Anderson & Co.

VAIL, BERT C., 1880 First National Bk Bldg, Detroit............CAdlac 6015
Firm—Ernst & Ernst

VAN KEPPEL, A. T., 924 G. R. National Bk Bldg, Grand Rapids
Firm—Lawrence Scudder & Co.

VAN TIFFLIN, W. H., 1600 Buhl Bldg, Detroit ....CHerry 3200
Firm—Staub, Fletcher & Van Tifflin

WALMSLEY, EDWIN C.,* 10433 Morley, Detroit ....

WALSH, MERVYN B., 120 Madison Ave, Detroit ....CHerry 5742
Firm—Walsh & Co.

WALTON, GEORGE L., 3214 Eaton Tower, Detroit ....CAdlac 6566
Firm—C. J. Lynch & Co.

WARD, BERNARD N., 435 Shearer Bldg, Bay City ....

WARING, ARCHIE D., 120 Madison Ave, Detroit ....CHerry 5742
Firm—Walsh & Co.

WEEKS, REMLEY B., 874 Maccabees Bldg, Detroit ....COlmba 1228
Firm—Wolfe & Weeks

WELCH, ARTHUR J., 2046 Penobscot Bldg, Detroit ....CHerry 1595

WELLING, CLETUS J., 1824 Dime Bk Bldg, Detroit ....CAdlac 1272
Firm—E. G. Rutten & Co.

WERNER, J. H., 1960 First National Bk Bldg, Detroit...............CAdlac 3658
Firm—W. H. Ball & Co.

WHEELER, CHARLES T., 404 Peoples Bk Bldg, Muskegon............
Firm—Lawrence Scudder & Co.

WHEELER, EDGAR W., 120 Madison Ave, Detroit ....CHerry 5742
Firm—Walsh & Co.

WIDGER, FRANK G, 3780 W. Philadelphia, Detroit ....EUclid 9732

WILSON, RALPH G., Grand Haven ....

WOLFE, RICHARD H., 874 Maccabees Bldg, Detroit ....COlmba 1228
Firm—Wolfe & Weeks

WRAY, ALFRED W., 16516 Northlawn, Detroit ....UNirty 1-6516

WYMAN, MILES L., 1476 First National Bk Bldg, Detroit........RAndlh 5240
Firm—M. L. Wyman & Co.

YOCKEY, MERLE A., 2912 Book Bldg, Detroit ....CAdlac 1803
Firm—Lybrand, Ross Bros. & Montgomery

ZACK, DAVID P., 309 Guaranty Bldg, Detroit ....CHerry 2467
Firm—McCafferty, Zack & Co.

ZICK, E. J., * 13677 Stoepel Ave, Detroit ....

THIS is the first published statement of condition of The National Bank of Detroit—which was established on March 24, 1933.

As of the close of business June 30th, 1933

RESOURCES

Cash on Hand and Due from Other Banks	$ 43,867,952.62	
United States Government Securities . .	54,843,139.61	$98,711,092.23
Bonds other than U. S. Government . .		3,141,619.65
Stock in Federal Reserve Bank		675,000.00
Loans and Discounts		77,637,585.28
Overdrafts		11,718.80
Accrued Interest Receivable—Net . .		887,891.75
Customers' Liability under Acceptances		3,540.00
TOTAL RESOURCES		**$181,068,447.71**

LIABILITIES

Deposits — Commercial, Bank and Savings	$150,360,667.39	
Public Deposits secured by pledge of U. S. Government Bonds:		
Treasurer — State of Michigan . .	1,277,998.04	
U. S. Government	3,808,245.12	
Other Public Funds	172,723.81	
TOTAL DEPOSITS		**$155,619,634.36**
Bills Payable and Rediscounts . . .		None
Capital, Surplus and Undivided Profits		25,207,199.05
Reserve for Expenses and Dividends .		238,074.30
Liability under Acceptances		3,540.00
TOTAL LIABILITIES		**$181,068,447.71**

The

NATIONAL BANK

OF DETROIT

THE MANUFACTURERS NATIONAL BANK OF DETROIT

cordially invites you to use the facilities of this conservatively operated financial institution and to make it your permanent banking connection.

OFFICERS

JOHN BALLANTYNE, *President* HENRY H. SANGER, *Vice President*
CHARLES K. BARTOW, *Cashier*

DIRECTORS

JOHN BALLANTYNE
President, Manufacturers National Bank

ALEX DOW
President, Detroit Edison Company

GEORGE R. FINK
President, National Steel Corporation

EDSEL B. FORD
President, Ford Motor Company

CLIFFORD B. LONGLEY
Longley, Bogle and Middleton

MURRAY W. SALES
President, Murray W. Sales & Company

HENRY H. SANGER
Vice President, Manufacturers National Bank

WESSON SEYBURN
Manufacturer

MAIN OFFICE

PENOBSCOT BUILDING

Offices in **HIGHLAND PARK** *Offices in* **DEARBORN**

Capital . . . $3,000,000 Surplus . . . $1,500,000

DETROIT BANKING INSTITUTIONS

COMMONWEALTH COMMERCIAL STATE BANK

Dime Bank Building **Randolph 3185**

Member, Federal Reserve System and
Det. Clearing House Assn.

OFFICERS

President—Frank Wolf.

Vice-President and Chairman of Executive Committee—Martin E. Galvin.

Vice-President—Fred H. Talbot.

Vice-President—Wm. W. Smith.

Vice-President and Cashier—Howard P. Parshall.

Assistant Cashiers—Arthur O. Dahlstrom and Donal Jenkins.

BOARD OF DIRECTORS

Frank Hooker Alfred
David H. Barnett
Frank G. Baxter
James B. Bradley
John H. Castle
Richard Earhart
Thomas Forman
Alexander Freeman
M. E. Galvin
James H. Garlick
Clarence E. Gittins
John S. Haggerty
Paul H. King
H. Wm. Klare
Ernest O. Knight
Dean Lucking
T. J. W. McCausey
Daniel P. Markey
Guy W. Moore
Robert Oakman
H. P. Parshall
Earl H. Shedd
Walter F. Sheetz
Wm. W. Smith
Fred H. Talbot
Comfort A. Tyler
Frank Wolf
Arthur E. Wood

DETROIT SAVINGS BANK

Griswold at State **Randolph 5565**

Member, Federal Reserve System and
Det. Clearing House Assn.

OFFICERS

Chairman of the Board—John M. Dwyer.

President—Walter L. Dunham.

Vice-Presidents—Jas. H. Doherty, John C. Dilworth, Wilson Fleming, Ray Jacobs.

Vice-President and Cashier—Kenneth Paton.

Assistant Vice-Presidents—F. C. Brimacombe, Cecil S. Hunt, Edwin D. Kay, Raymond T. Perring.

Assistant Cashiers—H. N. Baxendale, Dervine T. Gouin, W. B. Waldrip, Wm. H. Watson, A. H. Rupp.

Comptroller—Gustave A. Wellensick.

DIRECTORS

David S. Carter
Charles A. Dean, Jr.
James H. Doherty
F. T. Ducharme
Walter L. Dunham
John M. Dwyer
Claude M. Harmon
Edward E. MacCrone
James T. McMillan
Sidney T. Miller
Sidney T. Miller, Jr.
Charles M. Roehm
Ralph Stoepel
Nathan T. Viger
Thaddeus Walker

THE MANUFACTURERS NATIONAL BANK OF DETROIT

Penobscot Bldg. **Randolph 0800**

Member, Federal Reserve System and
Det. Clearing House Assn.

OFFICERS

President—John Ballantyne.

Vice-President—Henry H. Sanger.

Cashier—Charles K. Bartow.

SENIOR OFFICERS

Roderick P. Fraser
John H. Hart
Charles A. Kanter
Samuel R. Kingston
Frank J. Maurice
Joseph F. Verhelle
Benj. G. Vernor

JUNIOR OFFICERS

Fred J. Beyer
L. George Bott
A. E. Patterson
George R. Tait
Robert C. Wandel

DIRECTORS

John Ballantyne
George R. Fink
Murray W. Sales
Wesson Seyburn
Alex Dow
Clifford B. Longley
Henry H. Sanger
Edsel B. Ford

THE NATIONAL BANK OF OF DETROIT

Woodward Ave. at Campus Martius
Cherry 8750

Member, Federal Reserve System and
Det. Clearing House Assn.

OFFICERS

Chairman of the Board—James Inglis.

President—Walter S. McLucas.

VICE-PRESIDENTS

Herbert L. Chittenden
Joseph M. Dodge
Ralph H. Gaines
Hal Y. Lemon
Frank E. O'Brien
Edward H. Rogers
Donald F. Valley
James L. Walsh

Assistant to the President—Ben E. Young.

Cashier—Elbert S. Burns.

Assistant Vice-Presidents—W. Earle Blakeley, Scott Carpenter, Dennis A. Darin, Alvan Macauley, Jr., James J. O'Shea, Walter F. Truettner, John S. Wells, Alfred T. Wilson, Elmer J. Obendorfer.

Comptroller—Earl J. Failor.

Assistant Cashiers—George W. Cilley, Arnold D. Freydl, Eugene T. Garner, George S. Hoppin, Jr., Hugh McClelend, Jr., James T. Shaw, John R. Walsh, Herman A. Leitner.

Auditor—Ottmar A. Waldow.

DIRECTORS

Henry E. Bodman
Donaldson Brown
Walter P. Chrysler
Frank Couzens
John B. Ford, Jr.
James S. Holden
James Inglis
James McEvoy
Walter S. McLucas
James T. McMillan
Peter J. Monaghan
Stanley Reed
Alfred P. Sloan, Jr.
R. Perry Shorts

INDUSTRIAL MORRIS PLAN BANK

1408 Washington Blvd. Randolph 8760

OFFICERS

President—Eugene W. Lewis.
Executive Vice-President—Glenn F. Turnbull.
Vice-President—Charles T. Bush.
Vice-President—Frank W. Hubbard.
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The Second Edition of this Directory will be published in May 1934 and will contain a Revised List of Attorneys and Public Officers. It will also contain new and additional information which you will find very valuable. Send in your subscription early.

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Lloyds Insurance Co. of America, 1939 First Nat. Bk. Bldg.	**CAdillac 3250**
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National Surety Co., 2506 Un. Guar. Bldg., Thomas E. Griffin, Manager	**RAndolph 3582**
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THE COURTS

Federal, State, County and City

JUDICIARY AND OFFICIALS

SUPREME COURT OF THE UNITED STATES

WASHINGTON, D. C.

JUDICIARY

Chief Justice—Charles Evans Hughes.

Associate Justices—Willis Van Devanter, 7th and 10th Circuits; James Clark McReynolds, 6th Circuit; Louis D. Brandeis, 3rd Circuit; George Sutherland, 9th Circuit; Pierce Butler, 8th Circuit; Harlan Fiske Stone, 2nd Circuit; Owen J. Roberts, 5th Circuit; Benjamin N. Cardozo, 1st Circuit.

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Reporter—Ernest Knaebel.

U. S. CIRCUIT COURT OF APPEALS

Sixth Circuit

Judiciary

Circuit Justice—Hon. James C. McReynolds, Washington, D. C.

Circuit Judges—Hon. Charles H. Moorman, Louisville, Ky.; Hon. Xen Hicks, Knoxville, Tenn.; Hon. Smith Hickenlooper, Cincinnati, Ohio; Hon. Charles C. Simons, Detroit, Michigan.

Clerk—John W. Menzies, Fort Mitchell, Ky.

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COURT OF CLAIMS OF THE UNITED STATES

WASHINGTON, D. C.

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Associate Judges—Wm. R. Green, Benjamin H. Littleton, Thos. S. Williams, Richard S. Whaley.

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Auditor and Reporter—Chas. F. Kincheloe.

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U. S. District Court

Eastern District of Michigan

JUDGES

Hon. Arthur J Tuttle, 403 Recreation Bldg., Detroit; Randolph 1012.

Hon. Edward J. Moinet, 403 Recreation Bldg., Detroit; Randolph 6038.

Hon. Ernest A. O'Brien, 409 Recreation Bldg., Detroit; Randolph 1323.

OFFICIALS

Chief Clerk—Elmer W. Voorheis, 302 Recreation Bldg., Detroit; Randolph 4741.

Chief Deputy Clerk—Cornelius N. Smith, 302 Recreation Bldg., Detroit; Randolph 4741.

Standing Master in Chancery—Wm. S. Sayres, 403 Recreation Bldg., Detroit; Randolph 0318.

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Judgment Fee, $5.00.

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Terms of Court—At Bay City, the first Tuesday in May and October. Special or adjourned terms for Admiralty Cases at Port Huron in February (at discretion of the judge).

Southern Division—Comprises the counties of Branch, Calhoun, Clinton, Hillsdale, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Sanilac, Washtenaw and Wayne.

Terms—At Detroit, the first Tuesday in March, June and November.

Western District of Michigan

Judge—Hon. Fred M. Raymond, Grand Rapids, Mich.

Attorney—Edward G. Bowman, Grand Rapids, Mich.

Marshal—Martin Brown, Leland, Mich.

Clerk—Orrie J. Sluiter, Grand Rapids, Mich.

FEES

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Northern Division—Comprises the counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon and Schoolcraft.

Terms—At Sault Ste. Marie, the first Tuesday in January and June. At Marquette, the first Tuesday in April and October.

Southern Division—Comprises the counties of Allegan, Antrim, Barry, Benzie, Berrien, Cass, Charlevoix, Eaton, Emmet, Grand Traverse, Ionia, Kalamazoo, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, St. Joseph, Van Buren and Wexford.

Terms—At Grand Rapids the first Tuesday in March, May, September and November

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MICHIGAN SUPREME COURT

Lansing, Michigan

Chief Justice—John S. McDonald, Grand Rapids, *Dec. 31, 1933.
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William W. Potter, Hastings, Dec. 31, 1935.
‡Nelson Sharpe, West Branch, Dec. 31, 1935.
Walter H. North, Battle Creek, Dec. 31, 1937.
Louis H. Fead, Newberry, Dec. 31, 1937.
Howard Wiest, Lansing, Dec. 31, 1939.
Henry M. Butzel, Detroit, Dec. 31, 1939.
†George E. Bushnell, Detroit, Dec. 1, 1942.
†Edward M. Sharpe, Bay City, Dec. 1, 1942.
Clerk—Jay Mertz, Lansing.
Deputy Clerk—Hugh H. Carpenter.
State Reporter—Richard W. Cooper.
Crier—Don M. Childs, Lansing.

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*Denotes date Justice's terms expire.
†Take office on Jan. 1, 1934.
‡Becomes Chief Justice, Jan. 1, 1934.

WAYNE CIRCUIT COURT

316 County Bldg., Detroit

Circuit Judges of the Third Judicial Circuit, accept routine assignments in the following order of seniority for continuous service. During their absence or disability their alternates serve.

Judges — Alternates

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Arthur Webster—Ira W. Jayne.
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Homer Ferguson—James E. Chenot.
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For Judge Harry J. Dingeman—Paul Wilkowski.
For Judge Adolph F. Marschner—Thomas Cable.
For Judge Ira W. Jayne—John Plas.
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For Judge Theodore J. Richter—Clement J. Weitzman.
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For Judge DeWitt H. Merriam—Harry D. Levinson.
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For Judge Lester S. Moll—Harold Owen.
For Judge Homer Ferguson—Stanley Mardeusz.
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For Judge Thomas J. Murphy—Maurice McGrath.

PROBATE COURT

302 County Bldg. **RAndolph 2370**

Judges—Henry S. Hulbert, Edward Command, Joseph A. Murphy, D. J. Healy, Jr.
Register—Joseph F. Drolshagen
Deputies Probate Registers—Bernd Baetcke, Theo. J. Brown, Everett Bruce, August Diedrich, John Dysarz, Thos. A. Jacques, Arthur Kern, Francis Mahon, Jas. H. Sexton, Geo. H. Wilson, R. J. Ziegler

JUVENILE COURT

Division of Probate Court of Wayne County
1025 E. Forest Ave.—Columbia 4680

Judge—D. J. Healy, Jr.; Probate Judge, Assigned.
Register—Anthony Park.

WAYWARD MINORS' DIVISION

Chief Probation Officer—Edw. A. Sawkins.

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COMMON PLEAS COURT

County Building

JUDGES

Presiding Judge—Gerald W. Groat, Room 107.
Judges—Joseph A. Gillis, Conciliation Division, Room 118; James M. Jeffries, Room 123; Ralph W. Liddy, Room 121; John F. McKinlay, Room 117; Charles Rubiner, Room 119; Joseph Sanders, Room 110; Leonard L. Schemanske, Room 115; John D. Watts, Room 109.

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Municipal Court Bldg., Cor. Clinton and St. Antoine. Telephone Cherry 7440

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19th Floor, Barlum Tower

Judges—John J. Maher, Sherman D. Callender.
Referee—Arthur L. Barkey.
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MICHIGAN CIRCUIT COURTS

The circuit courts for respective counties have original jurisdiction in all cases in equity and cases in law involving $100.00 or over; appellate jurisdiction in justice and probate courts; general criminal jurisdiction except where special criminal courts are created for cities.

TERMS—Terms are set by court rules in counties where one circuit judge does not sit his entire time, but for the larger cities the terms are continuous.

There are forty judicial circuits in Michigan.

JUDGES BY CIRCUITS

State Presiding Judge—Harry J. Dingeman, Detroit

FIRST CIRCUIT—Guy M. Chester, Hillsdale.

SECOND CIRCUIT—Charles E. White, Niles.

THIRD CIRCUIT—See Wayne County List.

FOURTH CIRCUIT—John Simpson and Benjamin Williams, Jackson.

FIFTH CIRCUIT—Russell P. McPeck, Charlotte.

SIXTH CIRCUIT—Glenn C. Gillespie, Frank L. Doty and Frank L. Covert, Pontiac.

SEVENTH CIRCUIT—Edward D. Black, Paul V. Gadola and James S. Parker, Flint.

EIGHTH CIRCUIT—Royal A. Hawley, Ionia.

NINTH CIRCUIT—George V. Weimer, Kalamazoo.

TENTH CIRCUIT—Clarence M. Brown, William H. Martin, Saginaw.

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EIGHTEENTH CIRCUIT—Samuel G. Houghton, Bay City.

NINETEENTH CIRCUIT—Hal L. Cutler, Luther.

TWENTIETH CIRCUIT—Fred T. Miles, Holland.

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TWENTY-SECOND CIRCUIT—George W. Sample, Ann Arbor.

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TWENTY-SIXTH CIRCUIT—Fred P. Smith, Alpena.

TWENTY-SEVENTH CIRCUIT—Earl C. Pugsley, Hart.

TWENTY-EIGHTH CIRCUIT—Fred S. Lamb, Cadillac.

TWENTY-NINTH CIRCUIT—Kelly S. Searl, St. Johns.

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THIRTY-SECOND CIRCUIT—George O. Driscoll, Ironwood.

THIRTY-THIRD CIRCUIT—Victor D. Sprague, Cheboygan.

THIRTY-FOURTH CIRCUIT—Guy E. Smith, Gladwin.

THIRTY-FIFTH CIRCUIT—James H. Collins, Corunna.

THIRTY-SIXTH CIRCUIT—Glenn E. Warner, Paw Paw.

THIRTY-SEVENTH CIRCUIT—Blaine W. Hatch, Marshall.

THIRTY-EIGHTH CIRCUIT—Jesse H. Root, Monroe.

THIRTY-NINTH CIRCUIT—George A. Rathbun, Tecumseh.

FORTIETH CIRCUIT—Henry H. Smith, Caro.

TERMS OF CIRCUIT COURTS OF MICHIGAN

Alcona County—Twenty-third Circuit. Court sits at Harrisville on the 3rd Tuesday in March; 4th Tuesday in May; 3rd Tuesday in September; 2nd Tuesday in December.

Alger County—Eleventh Circuit. Court sits at Munising on the 4th Monday in January and March; 1st Monday in June; 3rd Monday in October.

Allegan County—Twentieth Circuit. Cpurt sits at Allegan on the 2nd Monday in January; 1st Tuesday in April; 2nd Monday in June and October.

Alpena County—Twent-sixth Circuit. Court sits at Alpena on the 1st Monday in March and June; 2nd Monday in September; 1st Monday in December.

Antrim County—Thirteenth Circuit. Court sits at Bellaire on the 1st Monday in January, June, August and December.

Arenac County—Thirty-fourth Circuit. Court sits at Standish on the 2nd Tuesday in March, June, September and December.

Baraga County—Twelfth Circuit. Court sits at L'Anse on the 2nd Monday in January, April, June and September.

Barry County—Fifth Circuit. Court sits at Hastings on the 4th Monday in February and May; 2nd Monday in September; 4th Monday in November.

Bay County—Eighteenth Circuit. Court sits at Bay City on the 2nd Monday in March and May; 3d Monday in September; 1st Monday in December.

Benzie County—Twenty-eighth Circuit. Court sits at Beulah on the 1st Monday in January, March, August and October.

Berrien County—Second Circuit. Court sits at St. Joseph on the 1st Monday in February; 3rd Monday in April; 2nd Monday in September; 4th Monday in November.

Branch County—Fifteenth Circuit. Court sits at Coldwater on the 2nd Monday in March; 1st Tuesday in June; 2nd Monday in September; 3rd Monday in December.

Calhoun County — Thirty-seventh Circuit. Court sits at Marshall on the 1st Monday in May; 3rd Monday in November at Battle Creek on the 1st Monday in March; 2nd Monday in September.

Cass County—Thirty-sixth Circuit. Court sits at Cassapolis on the 3rd Monday in February; 4th Monday in April; 2nd Monday in September; 4th Monday in November.

Charlevoix County — Thirteenth Circuit. Court sits at Charlevoix on the 3rd Monday in February; 4th Monday in May; 2nd Monday in September; 4th Monday in November.

Cheyboygan County—Thirty-third Circuit. Courts sits at Cheyboygan on the 2nd Monday in January; 1st Monday in May, July and October.

Chippewa County—Eleventh Circuit. Court sits at Sault Ste. Marie on the 1st Monday in February and May; 1st Tuesday in September; 1st Monday in December.

Clare County—Twenty-first Circuit. Court sits at Harrison on the 4th Monday in March; 1st Monday in June; 4th Monday in August; 1st Monday in December.

Clinton County—Twenty-ninth Circuit. Court sits at St. Johns on the 1st Monday in March and June; 2d Monday in September; 1st Monday in December.

Crawford County—Thirty-fourth Circuit. Court sits at Grayling on the 2nd Tuesday in January, April, July and October.

Delta County—Twenty-fifth Circuit. Court sits at Escanaba on the 1st Thursday in January; 1st Tuesday in April; 2d Monday in June; 3rd Monday in September.

Dickinson County — Twenty-fifth Circuit. Court sits at Iron Mountain on the 2nd Monday in January and April; 1st Tuesday in July; 5th Monday in September.

Eaton County—Fifth Circuit. Court sits at Charlotte on the 2nd Monday in January and April; 3rd Monday in June; 1st Monday in October.

Emmet County—Thirty-third Circuit. Court sits at Petoskey on the 2nd Monday in April; 4th Monday in June; 2nd Monday in September; 1st Monday in December.

Genesee County—Seventh Circuit. Court sits at Flint on the 2nd Monday in February, April, September and November.

Gladwin County — Thirty-fourth Circuit. Court sits at Gladwin on the 1st Tuesday in March and June; 4th Tuesday in September; 1st Tuesday in December.

Gogebic County — Thirty-second Circuit. Court sits at Bessemer on the 3rd Monday in February; 2nd Monday in May; 4th Monday in August and November.

Grand Traverse County—Thirteenth Circuit. Court sits at Traverse City on the 1st Monday in March; 2nd Monday in June; 1st Monday in October; 2nd Monday in December.

Gratiot County—Twenty-ninth Circuit. Court sits at Ithaca on the 1st Monday in February; 3rd Monday in April; 4th Monday in June; 1st Monday in October.

Hillsdale County—First Circuit. Court sits at Hillsdale on the 2nd Monday in January, March, May and October.

Houghton County—Twelfth Circuit. Court sits at Houghton on the 4th Monday in January, April, June and September.

Huron County—Twenty-fourth Circuit. Court sits at Bad Axe on the 1st Monday in January, April, June and October.

Ingham County — Thirtieth Circuit. Court sits at Mason on the 2nd Monday in January and May; Lansing on the 2nd Monday in March and September.

Ionia County—Eighth Circuit. Court sits at Ionia on the 3rd Monday in January; 2nd Monday in April; 4th Monday in August; 2nd Monday in November.

Iosco County—Twenty-third Circuit. Court sits at Tawas City on the 4th Tuesday in March; 3rd Tuesday in May; 4th Tuesday in September; 1st Tuesday in December.

Iron County—Twenty-fifth Circuit. Court sits at Crystal Falls on the 1st Monday in February, May and August; 4th Monday in October.

Isabella County—Twenty-first Circuit. Court sits at Mt. Pleasont on the 2nd Monday in January and March; 3rd Monday in June; 2nd Monday in November.

Jackson County—Fourth Circuit. Court sits at Jackson on the 1st Monday in January, March, May; 3rd Monday in September.

Kalamazoo County—Ninth Circuit. Court sits at Kalamazoo on the 2nd Monday in February, April, September and November.

Kalkaska County—Twenty-eighth Circuit. Court sits at Kalkaska on the 2nd Monday in January; 1st Tuesday in April and September; 1st Monday in December.

Kent County—Seventeenth Circuit. Court sits at Grand Rapids on the 1st Monday in March and May; 4th Monday in September; 1st Monday in December.

Keweenaw County—Twelfth Circuit. Court sits at Eagle River on the 3rd Monday in January, April, June, September.

Lake County—Nineteenth Circuit. Court sits at Baldwin on the 3rd Monday in February and April; 4th Monday in September; 1st Monday in November.

Lapeer County—Fortieth Circuit. Court sits at Lapeer on the 2nd Monday in March, June, September, January.

Leelanau County—Thirteenth Circuit. Court sits at Leland on the 2nd Monday in January; 3rd Monday in May; 4th Monday in July; 3rd Monday in September.

Lenawee County—Thirty-ninth Circuit. Court sits at Adrian on the 2nd Monday in January, March, May, October.

Livingston County — Thirty-fifth Circuit. Court sits at Howell on the 1st Monday in March; 3rd Monday in May; 4th Monday in September; 2nd Monday in December.

Luce County—Eleventh Circuit. Court sits at Newberry on the 3rd Monday in January and March; 4th Monday in June; 2nd Monday in October.

Mackinac County — Thirty-third Circuit. Court sits at St. Ignace on the 1st Monday in January; 4th Monday in April; 2nd Monday in July; 4th Monday in September.

Macomb County—Sixteenth Circuit. Court sits at Mt. Clements on the 2nd Monday in January, April, July, October.

Manistee County—Nineteenth Circuit. Court sits at Manistee on the 3rd Monday in January and March; 4th Monday in June and October.

Marquette County — Twenty-fifth Circuit. Court sits at Marquette on the 3rd Monday in February, May and August; 1st Monday in December.

Mason County—Nineteenth Circuit. Court sits at Ludington on the 1st Monday in January, March and June; 2nd Monday in October.

Mecosta County — Twenty-seventh Circuit. Court sits at Big Rapids on the 2nd Monday in February and May; 1st Tuesday in September; 1st Monday in November.

Menominee County—Twenty-fifth Circuit. Court sits at Menominee on the 4th Monday in January and April; 1st Monday in July; 2nd Monday in October.

Midland County—Twenty-first Circuit. Court sits at Midland on the 2nd Monday in February, May and September; 3rd Monday in December.

Missaukee County—Twenty-eighth Circuit. Court sits at Lake City on the 3rd Monday in January; 2nd Monday in April and September; 3rd Monday in November.

Monroe County—Thirty-eighth Circuit. Court sits at Monroe on the 1st Monday in February, April, June and November.

Montcalm County—Eighth Circuit. Court sits at Stanton on the 1st Monday in March; 3rd Monday in June and September; 2nd Monday in December.

Montmorency County—Twenty-sixth Circuit. Court sits at Atlanta on the 3rd Monday in March and June; 1st Monday in October; 3rd Monday in December.

Muskegon County—Fourteenth Circuit. Court sits at Muskegon on the 2nd Monday in February, April, September; 4th Monday in November.

Newaygo County—Twenty-seventh Circuit. Court sits at White Cloud on the 1st Monday in March, June and October; 2nd Monday in December.

Oakland County—Sixth Circuit. Court sits at Pontiac on the 1st Monday in February; 2nd Monday in April, June and September; 1st Monday in December.

Oceana County — Twenty-seventh Circuit. Court sits at Hart on the 1st Monday in January; 1st Tuesday in April; last Monday in August; 3rd Monday in October.

Ogemaw County — Thirty-fourth Circuit. Courts sits at West Branch on the 3rd Tuesday in March, June, September and December.

Ontonagon County — Thirty-second Circuit. Court sits at Ontonagon on the 2nd Monday in March; 1st Monday in June; 3rd Monday in October; 2nd Monday in January.

Osceola County—Nineteenth Circuit. Court sits at Reed City on the 1st Monday in February; Tuesday after 1st Monday in April; 2nd Monday in September; 1st Monday in December.

Oscoda County—Twenty-third Circuit. Court sits at Mio on the 3rd Monday in April; 2nd Monday in July; 4th Monday in October; 3rd Monday in December.

Otsego County—Thirty-fourth Circuit. Court sits at Gaylord on the 3rd Tuesday in January, April, July, October.

Ottawa County—Twentieth Circuit. Court sits at Grand Haven on the 3rd Monday in February; 1st Monday in May; 1st Tuesday in September; 3rd Monday in November.

Presque Isle County—Twenty-sixth Circuit. Court sits at Rogers City on the 3rd Monday in February; 1st Monday in August. Onaway on the 3rd Monday in May; 4th Monday in October.

Roscommon County — Thirty-fourth Circuit. Court sits at Roscommon on the 1st Tuesday in January, April, July, October.

St. Clair County—Thirty-first Circuit. Court sits at Port Huron on the 1st Monday in January, April, July, October.

St. Joseph County—Fifteenth Circuit. Court sits at Centerville on the 1st Monday in February; 2nd Monday in April; 1st Tuesday in July; 2d Monday in November.

Saginaw County—Tenth Circuit. Court sits at Saginaw on the 1st Monday in March and May; 2nd Monday in September; 1st Monday in December.

Sanilac County — Twenty-fourth Circuit. Court sits at Sandusky in the 1st Monday in March; 2nd Monday in May; 1st Tuesday in September; 2nd Monday in November.

Schoolcraft County—Eleventh Circuit. Court sits at Manistique on the 2nd Monday in January and April; 3rd Monday in June; 4th Monday in September.

Shiawassee County — Thirty-fifth Circuit. Court sits at Corunna on the 3rd Monday in January; 2nd Monday in April; 1st Tuesday in September; 2nd Monday in November.

Tuscola County—Fortieth Circuit. Court sits at Caro on the 2nd Monday in February and May; 1st Monday in October and December.

Van Buren County — Thirty-Sixth Circuit. Court sits at Paw Paw on the 3rd Monday in January and March; 4th Monday in May; 3rd Monday in October.

Washtenaw County—Twenty-second Circuit. Court sits at Ann Arbor on the 1st Monday in March, May, October, December.

Wayne County—Third Circuit. Court sits at Detroit the first secular day of each month.

Wexford County — Twenty-eighth Circuit. Court sits at Cadillac on the 4th Monday in January; 3rd Monday in April and September; 4th Monday in November.

UNITED STATES GOVERNMENT

U. S. GOVERNMENT OFFICIALS

President—Hon. Franklin Delano Roosevelt.
Vice-President—John Nance Garner.

CABINET MEMBERS

Secretary of State—Cordell Hull.
Secretary of the Treasury—William H. Woodin.
Secretary of War—George H. Dern.
Secretary of the Navy—Claude A. Swanson.
Secretary of Interior—Harold L. Ickes.
Secretary of Labor—Miss Frances Perkins.
Secretary of Commerce—Daniel C. Roper.
Secretary of Agriculture—Henry A. Wallace, Jr.
Attorney General—Homer S. Cummings.
Postmaster General—James A. Farley.

UNITED STATES SENATORS

James Couzens (R), Detroit.
Arthur H. Vandenberg (R), Grand Rapids.

DEPARTMENT OF JUSTICE

BUREAU OF INVESTIGATION

625 Lafayette Bldg., Cadillac 2835-6
Special Agent in Charge—Wm. Larson.

U. S. ATTORNEY'S OFFICE

EASTERN DISTRICT

516 Lafayette Bldg.
Phones CAdillac 5830-1-2-3-4

United States Attorney—Gregory H. Frederick.
Chief Clerk and Assistant United States Attorney—Louis M. Hopping.
Chief Assistant United States Attorney—William G. Comb.
Assistant United States Attorneys—Charles B. W. Aldrich, Kenneth Corbitt, Julian McIntosh, Trent McMath, Merrill Miner, Francis X. Norris, Frederick R. Walker, David A. Wolff.

WESTERN DISTRICT

District Attorney—Joseph M. Donnelly.

U. S. MARSHAL'S OFFICE

EASTERN DISTRICT OF MICHIGAN

305 Recreation Bldg., Randolph 1200

Marshal—Frank J. Sawyer.
Chief Deputy Marshal—Miss Adele Holinstat.
Civil Deputy—Geo. F. Lerchen.
Office Deputies—Mollie Bartholomay, Dorothy Holinstat, Abel N. Lezotte, Richard O'Leary.
Field Deputies—Forest Malott, Sam O'Connell, John Pierce.
Padlock Deputy—Walter Stewart.
Sale Deputy—Lennox L. Shekell.
Court Officers—Fred Bosserdet, John W. Drury, Jack H. Holly, Wm. A. McFawn, Leonard T. Sebert, Rob't. J. Weissenberg.

512 Lafayette Bldg., Cadillac 4602

Deputy Marshal in Charge—Rob't M. Roberts.
Deputy Marshal (Driver)—Paul Davenport.
Deputy Marshal (License)—Chas. Johnson.

NORTHERN DIVISION—EASTERN DISTRICT

Field Deputy—Richard LaBelle, Bay City, Michigan.
Field Deputy—Paul Shafer, Battle Creek,

WESTERN DISTRICT

Marshal—Daniel J. Geroe.

PROBATION DEPARTMENT

BUREAU OF PRISONS

412 Lafayette Bldg., Cherry 5772
Probation Officer—L. Wallace Hoffman.

DIVISION OF INVESTIGATION

PROHIBITION UNIT

1010 Barlum Tower Cadillac 2926
Acting Investigator in Charge—Major W. L. Ray.

TREASURY DEPARTMENT

BUREAU OF CUSTOMS

100 W. Larned Street, Cadillac 8670-1-2-3-4

Collector of Customs—W. Alfred Debo.
Ass't. Collector of Customs—Walter S. Petty.
Chief Inspector of Customs — Harry N. Stringer.
Chief Customs Patrol Inspector—Frank N. McGrath.

CUSTOMS AGENCY SERVICE

1012 Buhl Building, Randolph 4071

Customs Agent in Charge—C. E. Wyatt.
Customs Agent—K. G. Linden.
Customs Agent—Osborne Shepherd.

APPRAISER OF MERCHANDISE

PORT OF DETROIT

100 W. Larned Street, Cadillac 8670
Appraiser—Harry A. Kramer.

BUREAU OF INTERNAL REVENUE

OFFICE OF THE COLLECTOR

COLLECTION DISTRICT OF MICHIGAN

304 Transportation Bldg., Randolph 1422

Collector—Horatio J. Abbott. Room 304.
Chief Processing Tax Division — William A. Stancil, Room 304.
Chief, Income Tax Division—Harry A. Vanlue, Room 419.
Chief Office Deputy — John M. Terwilliger, Room 311.
Chief, Misc. Tax Division—David A. McKillop, Room 314.
Ass't. Chief, Misc. Tax Division — H. Lynn Johnson, Room 314.
Chief, Bookkeeping Division—Jay Shedd, Room 307.
Chief, Cashier's Division—Manley D. Squier, Room 318.

Assistant Cashier—Walter C. Karrer, Room 318.
Chief Field Deputy—Fred M. Cook, Room 322.
Ass't. Chief Field Deputy—Albert B. Mosinsky, Room 321.

INTERNAL REVENUE AGENT IN CHARGE, INCOME AND ESTATE TAXES

821 Free Press Bldg., Randolph 4435

Agent in Charge—George E. Neal.
Ass't. Agent in Charge—E. A. Finney.
Chief Reviewer—John A. Morrison.
Chief Estate Tax Officer—James S. Doyle.

INTELLIGENCE UNIT

525 Free Press Bldg., Randolph 1142
Special Agent—W. J. Lefier.
Special Agent—John S. Danforth.

BUREAU OF INDUSTRIAL ALCOHOL

615 Barlum Tower, Cadillac 5630-1
Ass't. Supervisor of Permits—C. H. Stone.

BUREAU OF NARCOTICS

527 Free Press Bldg., Randolph 8714
District Supervisor—Jos. A. Manning.
Ass't. District Supervisor—T. W. McGeever.

SECRET SERVICE DIVISION

610 Lafayette Bldg., Randolph 6223
Operative in Charge—Bert C. Brown.
Agents—George F. Boos, Leo H. Mooney, William A. Carlson, Guy H. Spaman, James J. Maloney, Godfrey Wilson, Joseph F. Malkowski.

GRAND RAPIDS DIVISION

418 Post Office Bldg.
Agent in Charge—Frank L. Holliday.

DEPARTMENT OF LABOR

IMMIGRATION SERVICE

DISTRICT NO. 11
300 Owen Bldg., Cadillac 7047-8-9

District Director—John L. Zurbrick.
Ass't. District Director—A. M. Doig.
Law Officer—John A. Biesiot.
Inspector (Warrant Division)—Rob't. W. Gangewere.
Inspector Registry Division—Jas. H. Jewell, 130 W. Larned St. Phone
Inspector (Det.-Windsor Ferry)—Walter R. Brooks, Foot of Woodward Ave. Randolph 7667-8-9.
Inspector (Det.-Windsor Tunnel)—Arthur J. Kahl, Detroit Entrance. Cadillac 1148.
Inspector (Ambassador Bridge)—Earl G. Fenner, Detroit Approach. Lafayette 0130.

BORDER PATROL

3770 E. Jefferson Ave., Fitzroy 3480

Ass't. Director—Ruel E. Davenport.
Chief Inspector—Stanley W. Zaremba.

SUB-DISTRICT—MARINE CITY

Phone—Marine City 360
Chief Inspector—Howard C. Blakemore.

SUB-DISTRICT—TOLEDO, OHIO

403 Paine Street, Taylor 3177
Chief Inspector—Frank E. Boyer.

NATURALIZATION SERVICE

425 Lafayette Bldg., Cherry 2208
Acting District Director—T. Emmett McKenzie.

INDEPENDENT ESTABLISHMENTS

U. S. CIVIL SERVICE COMMISSION

401 Post Office Building

Local Secretary—James A. Hess.
Members—Board of Civil Service Examiners—Wilbert C. Garred, William H. Jones, David A. McKillop, Larry Fullington.
Field Civil Service Examiner—William H. Fowler.

INTERSTATE COMMERCE COMMISSION

Bureau of Service

2011 1st National Bank Bldg., Cadillac 6788-9
Service Agent—C. C. Wall.

HOME LOAN CORPORATION

1615 Barlum Tower Cadillac 6960
Michigan Manager—John T. Hamilton.
Assistant Manager—Leo Kuhlman.
Cashier—Charles McDonald.

*FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

1010 Fisher Bldg. Madison 1875

Mortimer E. Cooley (State Engineer) in charge.

*This is a State Office under Federal Supervision.

*STATE ADMINISTRATION BOARD

1010 Fisher Bldg. Madison 1875

Chairman—Frank H. Alfred.
Board Members—Leo J. Nowicki (County Drain Comm.); Murray D. Van Wagoner State Highway Comm.)

*This is a State Office under Federal Supervision.

STATE OF MICHIGAN

STATE OFFICERS

Governor—William A. Comstock.
Lieutenant-Governor—Allen E. Stebbins.
Secretary of State—Frank D. Fitzgerald.
State Treasurer—Theodore I. Fry.
Auditor General—John K. Stack, Jr.
Attorney General—Patrick J. O'Brien.

STATE LEGISLATURE

SENATORS

* Indicates Senators re-elected.
** Indicates Senators who have served in the House of Representatives.
D. Indicates Democratic.
R. Indicates Republican.

17 Democrats and 15 Republicans

District:
1. James A. Murphy (D), 317 N. Coplin Ave., Detroit.
2. Anthony J. Wilkowski (D), 2244 Harper Ave., Detroit.
3. Leo G. Karwick (D), 2026 Yemans Ave., Detroit.
4. Edward B. McKenna (D), 2905 W. Grand Blvd., Detroit.
5. Lee A. Gorman (D), 5733 Lawton Ave., Detroit.
* 6. James T. Upjohn (R), 229 Stuart St., Kalamazoo.
* 7. Leon D. Case (D), Watervliet.
* 8. George Leland (R), Fennville.
9. Francis A. Kulp (D), 710 Post Bldg., Battle Creek.
**10. C. Jay Town (R), North Adams.
**11. Theodore C. Ruff (D), St. Clair, R. F. D. No. 1.
12. Andrew L. Moore (R), 602 Pontiac Bank Bldg., Pontiac.
13. William Palmer (D), 727 E. Fifth St., Flint.
*14. Joe C. Foster (R), Capital Bank Tower, Lansing.
**15. Henry C. Glasner (D), Charlotte.
16. Earl W. Munshaw (R), 510 Prospect St., S.E., Grand Rapids.
17. J. Neil Lamoreaux (D), 4101 Lamoreaux, Comstock Park.
18. John W. Reid (R), 317 Richton Ave., Highland Park.
19. Samuel W. Raymond (D), Adrian.
*20. Herbert P. Orr (R), Caro.
21. John F. Nichczynski (D), 4883 Renville St., Detroit.
*22. John Leidlein (D), 420 Walnut St., Saginaw.
*23. Gordon F. VanEenenaam (R), 339 Houston, Muskegon.
24. Charles B. Asselin (D), Bay City.
25. Claude B. Root (D), 420 S. Lafayette St., Greenville.
26. George Cutler (D), Luther.
27. Felix H. H. Flynn (R), Cadillac.
*28. Ben Carpenter (R), Harrison.
*29. Calvin A. Campbell (R), Indian River.
30. W. F. Doyle (R), Menominee.
31. Ray Derham (R), U. S. National Bank Bldg., Iron Mountain.
*32. Adolph F. Heidkamp (R), Lake Linden.

Lieutenant Governor and President of the Senate
Allen E. Stebbins (D), Ionia.
Fred I. Chase, Secretary

REPRESENTATIVES

* Indicates Membership in 1931 House.
** Indicates Membership Previous to 1931.
D. Indicates Democratic.
R. Indicates Republican.

55 Democrats and 45 Republicans

MEMBERS

Alcona County—See Alpena District.

Alger District (R)—(Alger, Schoolcraft, Luce).
Henry E. Perry, 308 Newberry, Newberry.

**Allegan County (R).
Arthur U. Odell, Allegan.

Alpena District (D)—(Alpena and Alcona).
Duncan A. Cameron, 115 W. White, Alpena.

Antrim District (R)—(Antrim, Kalkaska, Missaukee).
Frank C. Priest, Mancelona.

**Arenac District (R)—(Arenac, Iosco, Ogemaw).
Fred C. Holbeck, Long Lake.

Baraga County—See Ontonagon District.

Barry County (D).
Chas. F. Parker, Middleville.

Bay County—
1st Dist. (D)—Jos. V. Coumans, 406 N. Alp St., Bay City.
2nd Dist. (D)—Harold C. Bellows, Bayside Pk., Bay City.

Benzie County—See Wexford District.

Berrien County—
1st Dist. (D)—F. Dean Morley, New Troy.
2nd Dist. (D)—Harvey H. Jarvis, R. F. D. 1, Benton Harbor.

Branch County (D).
Edwin G. Babcock, Coldwater.

**Calhoun County—
1st Dist. (D)—Vern Voorhees, R.F.D. 6, Albion.
2nd Dist. (R)—J. G. Frey, 503 City Bank Bldg., Battle Creek.

Cass County (D).
Chas. M. Myers, 301 Commercial, Dowagiac.

Charlevoix District (R)—(Charlevoix and Leelanau).
Douglas D. Tibbits, R. F. D. No. 1, Boyne City.
Cheboygan District (D)—(Cheboygan and Otsego).
Ernest E. Faircloth, Cheboygan.

**Chippewa County (R).
Henry A. Osborn, 317 Nolte St., Sault St. Marie.

Clare County—See Osceola District.

Clinton County (D).
Geo. H. Schoenhals, 400 E. Higham, St. Johns.

Crawford County—See Presque Isle District.

Delta County (D).
Peter R. Legg, Rock.

**Dickinson County (R).
John Daprato, 312 E. Ludington, Iron Mountain.

Eaton County (D).
John A. Strange, Grand Ledge.

**Emmet District (R)—(Emmet and Mackinac).
Dana H. Hinkley, Petoskey.

Genesee County—
1st Dist. (D)—Geo. L. Teachout, 1633 Colorado, Flint.
2nd Dist. (D)—W. E. Cuthbertson, 520 E. Rankin, Flint.
3rd Dist. (D)—Charles D. Parker, Otisville.

Gladwin County—See Midland District.
*Gogebic County (R).
Alvin L. Rummel, Seaman Bldg., Ironwood.

**Grand Traverse County (R).
William A. Ward, R. F. D. No. 2, Thompsonville.

Gratiot County (D).
Keith Kellogg, R. F. D. No. 2, Ithaca.

*Hillsdale County (R).
Chas. T. Kimball, R. F. D. No. 1, Jonesville.

**Houghton County—
1st Dist. (R)—James F. Jewell, Hubbell.
** 2nd Dist. (R)—Gus T. Hartman, 193 Ruby St., Houghton.

*Huron County (R).
Elmer B. McDonald, Port Hope.

Ingham County—
1st Dist. (D)—John G. Rulison, 526 Townsend, Lansing.
** 2nd Dist. (R)—Vernon J. Brown, Mason.

Ionia County (D).
M. Clyde Stout, R. F. D. No. 2, Ionia.

Iosco County—See Arenac District.

**Iron County (R).
Joseph Green, Crystal Falls.

Isabella County (D).
Adrian C. Barr, Shepherd.

Jackson County—
1st Dist. (R)—H. L. Nichols, 401 Dwight Bldg., Jackson.
2nd Dist. (D)—Laverne Hatch, Horton.

*Kalamazoo County—
1st Dist. (R)—J. M. Wilson, Kalamazoo Bank, Kalamazoo.
2nd Dist. (R)—Carl F. DeLano, R. F. D. 10, Kalamazoo.

Kalkaska County—See Antrim District.

**Kent County—
1st Dist. (R)—Ate Dykstra, 1000 Tamarack St., N.W., Grand Rapids.
* (R)—Edward B. Burleson, 335 Mich. Tr. Bldg., Grand Rapids.
* (R)—Edward B. Kirkwood, 1052 Bridge, N.W., Grand Rapids.
** 2nd Dist. (R)—Dexter G. Look, 214 W. Main St., Lowell.
3rd Dist. (R)—Maurice E. Post—R. F. D. No. 4, Rockford.

Keeweenaw County—See Ontonagon District.

Lake County—See Mecosta District.

**Lapeer County (R).
Edward C. Morrison, Columbiaville.

Leelanau County—See Charlevoix District.

*Lenawee County (R)—(Senator in 1899-1901).
James W. Helme, 112 W. Maumee St., Adrian.

Livingston County (D).
Henry Howlett, Gregory.

Luce County—See Alger District.

Mackinac County—See Emmet District.

Macomb County (D).
Paul A. Hupert, 111 Clair Ave., Mt. Clemens.

Manistee County (D).
Chester P. Emunson, Manistee.

Marquette County (R).
John P. Collins, 224 Jackson, Negaunee.

Mason County (D).
Hans O. Clines, R. F. D. No. 2, Ludington.

Mecosta District (D)—(Mecosta and Lake).
Lawrence O'Neill, Paris.

**Menominee County (D).
Martin R. Bradley, Hermansville.

*Midland District (R)—(Midland and Gladwin).
Don E. Sias, R. F. D. No. 5, Midland.

Missaukee County—See Antrim District.

*Monroe County (D).
Tracy W. Southworth, Monroe.

Montcalm County (D).
Lester T. Barber, Edmore.

Montmorency County—See Presque Isle District.

**Muskegon County—
1st Dist. (R)—John Dykstra, 821 Grand Ave., Muskegon.
2nd Dist. (D)—T. Thomas Thatcher, Ravenna.

Newaygo District (R)—(Oceana and Newaygo).
Don Vander Werp, Fremont.

Oakland County—
1st Dist. (R)—Melvin H. Lee, 202 Euclid Ave., Royal Oak.
2nd Dist. (D)—Fred E. Watkins, 130 Cass, N., Pontiac.

Oceana County—See Newaygo District.

Ogemaw County—See Arenac District.

**Ontonagon District (R) — (Baraga, Keweenaw, Ontonagon).
William C. Birk, Baraga.

**Osceola District (R)—(Clare and Osceola).
Miles M. Callaghan, Reed City.
Oscoda County—See Presque Isle District.
Otsego County—See Cheboygan District.
Ottawa County (R).
Edward Brouwer, 144 E. Eighth, Holland.

**Presque Isle District (R)—(Crawford, Montmorency, Oscoda, Presque Isle, Roscommon).
William Green, Hillman.

Roscommon County—See Presque Isle District.

Saginaw County—
1st Dist. (D)—George J. Creen, 717 Van Buren, Saginaw.
1st Dist. (D)—Frank J. Berka, 307 Tuscola, Saginaw.
2nd Dist. (D)—Wm. B. Hackett, R. F. D., Saginaw.

**Sanilac County (R).
John W. Goodwine, R. F. D. No. 4, Marlette.

Schoolcraft County—See Alger District.
Shiawassee County (D).
Ephraim Judson, Durand.

**St. Clair County—
1st Dist. (R)—D. J. McColl, Jr., 304 U. S. Bank Bldg., Port Huron.
** 2nd Dist. (R)—George C. Watson, Capac.

St. Joseph County (D).
Ernest C. Engle, Centerville.

Tuscola County (R).
D. Knox Hanna, Caro.

*Van Buren County (R).
Earl L. Burhans, Paw Paw.

*Washtenaw County (R).
Philip C. Pack, State and Arch St., Ann Arbor.

Wayne County—1st Dist. (All of Detroit, all Democratic):
Martin W. Baginski, 5099 Garvin.
Carl W. Bischoff, 12064 Racine.
Joseph S. Brzostowski, 4402 Sobieski.
William Buckley, 4339 W. Philadelphia.
John P. Connors, 3545 Burns Ave.
Wm. M. Donnelly, 1702 Ford Bldg.
Chester B. Fitzgerald, 8966 Birwood St.
Leonard A. Jurkiewicz, 6335 Chene St.
Bert S. Kennedy, 3668 Baldwin.
Herman Kramer, 13135 Outer Drive.
John B. Murphy, 12363 Tuller Ave.
Jos. C. Murphy, 1144 Wayburn Ave.
Ernest C. Nagel, 5118 Field.
Joseph C. Roosevelt, 301 Lawyers Bldg.
Louis J. Schneider, 1743 Burlingame Ave.
George A. Schroeder, 14817 East Warren Ave.
Edward J. Walsh, 301 Lawyers Bldg.
** 2nd Dist. (R)—Frank J. Calvert, 71 Avalon, Highland Park.
3rd Dist. (D)—M. J. Grajewski, Jr., 9220 Jos. Campau, Hamtramck.
4th Dist. (D)—J. C. McInerney, 227 Chestnut, Wyandotte.
** 5th Dist. (R)—Edward F. Fisher, 22156 Morley, Dearborn.

**Wexford District (R)—(Wexford and Benzie).
H. Earl McNitt, Cadillac.

Myles F. Gray, Clerk, House of Representatives.

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Commissioner, Leo J. Wilkowski (D).

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Congressman, John C. Lehr (D).
Commissioner, Mrs. James McDonald (D).

District 3.
Counties—Hillsdale, Branch, Calhoun, Kalamazoo, Eaton.
Congressman, Joseph L. Hooper (R).
Commissioner, Dean Halford (R).

District 4.
Counties—Van Buren, Berrien, Cass, St. Joseph, Allegan.
Congressman, George Foulkes (D).
Commissioner, Dr. Jas. G. Bonine (R).

District 5.
Counties—Kent, Ottawa.
Congressman, Carl E. Mapes (R).
Commissioner, Mrs. Thos. F. McAllister (D).

District 6.
Counties—Ingham, Livingston, Genesee.
Congressman, Claude E. Cady (D).
Commissioner, James D. Foster (R).

District 7.
Counties—Huron, Tuscola, Lapeer, Sanilac, St. Clair, Macomb.
Congressman, Jesse P. Wolcott (R).
Commissioner, Harry Rickell (R).

District 8.
Counties — Montcalm, Saginaw, Gratiot, Ionia, Clinton, Shiawassee.
Congressman, Michael J. Hart (D).
Commissioner, Frank A. Picard (D).

District 9.
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Congressman, Harry W. Musselwhite (D).
Commissioner, Mrs. Rachel G. Thompson (R).

District 10.
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Commissioner, Herman Butler (R).

District 11.
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Upper Peninsula—Menominee, Delta, Schoolcraft, Alger, Luce, Mackinac, Chippewa.
Congressman, Prentiss M. Brown (D).
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District 12.
Counties—Gogebic, Ontonagon, Iron, Dickinson, Marquette, Baraga, Houghton, Keeweenaw. (All in Upper Peninsula.)
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Commissioner, M. E. Nolan (D).

District 13.
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Congressman, John J. Dingell (D).
Commissioner, Andrew J. Belanger (D).

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Villages of Garden City, Belleville, Flatrock, Rockwood, Riverview, Ecorse, Allen Park, Inkster, Trenton, Wayne.
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Asst Atty's General—William F. Dorn, Frank H. Watson.

Public Administration Division

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KEWEENAW	Eagle River	Thomas E. Parks	
LAKE	Baldwin	Arnold C. Misteli	Glen R. Keller
LAPEER	Lapeer	Geo. Carrigan	Frank J. Richard
LEELANAU	Leland	Louis Forton	Charles J. Bloom
LENAWEE	Adrian	Fred Seger	Thomas Conlin
LIVINGSTON	Howell	Claude Faucetts	Floyd W. Munsell
LUCE	Newberry	John T. Turnbull	
MACKINAC	St. Ignace	William M. McCauley	
MACOMB	Mt. Clemens	George T. Smith	Edward M. Irwin
MANISTEE	Manistee	Michael F. Martin	Dennis McCarthy
MARQUETTE	Marquette	Andrew Lahti	J. D. MacDougall
MASON	Ludington	George L. Colyer	George M. Tyndall
MECOSTA	Big Rapids	Caesar J. Hampel	Marion M. Daniels
MENOMINEE	Menominee	Edward J. Reindl	
MIDLAND	Midland	George Venner	Ed. Blackhurst
MISSAUKEE	Lake City	Mearl Burkett	Thomas Anderson
MONROE	Monroe	Joseph J. Bairley	Daniel F. Sullivan
MONTCALM	Stanton	Francis M. Waldo	Verne E. Johnson
MONTGOMERY	Atlanta	Charles Brown	
MUSKEGON	Muskegon	Adolph Charron	Ernest R. Cockerill
NEWAYGO	White Cloud	William C. Bird	Orley A. Rhodes
OAKLAND	Pontiac	Roy Reynolds	Lewis C. Jarrendt
OCEANA	Hart	Wm. G. Van Wickle	Alfred E. Norberg
OGEMAW	West Branch	James T. Husted	Elmer E. Scott
ONTONAGON	Ontonagon	Joseph J. Schon	E. J. Perron
OSCEOLA	Reed City	Harvey E. McCord	Cecil F. Snowden
OSCODA	Mio	Clarence King	
OTSEGO	Gaylord	Jacob M. Deadman	John E. Harrington
OTTAWA	Grand Haven	Benjamin Rosema	George C. Borck
PRESQUE ISLE	Rogers City	Anthony Kowalski	
ROSCOMMON	Roscommon	Francis T. Murphy	
SAGINAW	Saginaw	Leonard V. Schleich	James E. Mooney
SANILAC	Sandusky	James Greenan	Philip O'Connell
SCHOOLCRAFT	Manistique	John M. Hewitt	Joseph W. Scott
SHIAWASSEE	Corunna	J. A. Fink	John Hudson
ST. CLAIR	Port Huron	Wm. L. VanAntwerp	William H. Wurzel
ST. JOSEPH	Centreville	James F. Correll	Samuel C. Hagenbuch
TUSCOLA	Caro	James Kirk	Roscoe Black
VAN BUREN	Paw Paw	Warren J. Dodge	Alfred D. Robinson
WASHTENAW	Ann Arbor	Jacob B. Andres	Cornelius W. Tuomy
WAYNE	Detroit	Thomas C. Wilcox	Leo J. Nowicki
WEXFORD	Cadillac	Charles H. Nixon	Leroy Foxworthy

COUNTIES	CIRCUIT COURT COMMISSIONERS		POSTOFFICES
ALCONA	Fred A. Beede		Harrisville
ALGER	C. L. Peters		Munising
ALLEGAN	Lelia Boyce	Perle L. Fouch	Allegan
ALPENA	Lemuel G. Dafoe		Alpena
ANTRIM	Robert Dunham		Bellaire
ARENAC			Standish
BARAGA			L'Anse
BARRY	Adelbert Cortright	Archie D. McDonald	Hastings
BAY	Arthur N. DeWaele	John J. McGinty, Jr.	Bay City
BENZIE	Lot Nevius		Beulah
BERRIEN	Albert D. Wing	Maurice A. Weber	St. Joseph
BRANCH	Frank C. Sherman	Irving L. Stansell	Coldwater
CALHOUN	Howard E. Wilder	Robert A. Waterman	Battle Creek
CASS	James Murphy		Cassopolis
CHARLEVOIX	Lisle Shanahan		Charlevoix
CHEBOYGAN	Wm. N. Cross		Cheboygan
CHIPPEWA	John A. Colwell	Alvin J. Dimma	Sault Ste. Marie
CLARE	Leo J. Campeau		Harrison
CLINTON	Charles W. Austin	Timothy H. Clark	St. Johns
CRAWFORD	Merle F. Nellist		Grayling
DELTA	Denis McGinn	George W. Carr	Escanaba
DICKINSON	John V. Zanardi	James P. Stewart	Norway
EATON	Homer L. Bauer		Charlotte
EMMET	George N. Gould		Petoskey
GENESEE	William E. Doran	Martin Katz	Flint
GLADWIN	Frank L. Prindle		Gladwin
GOGEBIC	Robert A. Burns		Bessemir
GRAND TRAVERSE	Charles Menmuir	Elmer E. White	Traverse City
GRATIOT	Robert L. Arnold	Ralph Goggin	St. Louis
HILLSDALE	Glenn E. Miller	Frank T. Aldrich	Hillsdale
HOUGHTON	H. C. Schulte	L. C. McClelland	Calumet
HURON	Alex Guyeau	Paul Woodworth	Bad Axe
INGHAM	Carl H. McLean	Alvin Neller	Lansing
IONIA	Edwin A. Murphy		Ionia
IOSCO	Nicholas C. Hartingh		Tawas City
IRON	F. Lloyd Symmonds		Crystal Falls
ISABELLA	Joseph Schnitzler	A. E. Butterfield	Mt. Pleasant
JACKSON	Lyman A. Vincent	DeLand Crary	Jackson
KALAMAZOO	Clair S. Beebe	Gould Fox	Kalamazoo
KALKASKA	Raymond H. Shanaman		Kalkaska
KENT	Edward L. Eardley		Grand Rapids
KEWEENAW			Eagle River
LAKE	Wilber B. Pool		Baldwin
LAPEER	Eugene Johnson	Kenneth H. Smith	Lapeer
LEELANAU	James M. Fitzpatrick		Leland
LENAWEE	Henry R. Jewett	James H. Cornelius	Adrian
LIVINGSTON	Glenn C. Yetland		Howell
LUCE			Newberry
MACKINAC			St. Ignace
MACOMB	Don S. Mulholland	Joseph V. Trombley	Mt. Clemens
MANISTEE	Alphon H. Lyman	B. M. Hartgerink	Manistee
MARQUETTE	P. H. Garvin	Theodore A. Thoren	Negaunee
MASON	W. G. Alway		Ludington
MECOSTA	Douglas Roben		Big Rapids
MENOMINEE	Meredith P. Sawyer		Menominee
MIDLAND	H. L. Fairchild		Midland
MISSAUKEE	Gerrit J. Leemgraven		Lake City
MONROE	Elmer L. Beyer	Joseph A. Navarre, Jr.	Monroe
MONTCALM	John S. Tennant	John B. Lewis	Greenville
MONTMORENCY			Atlanta
MUSKEGON	Robert R. Gale	Harry H. Geoghan	Muskegon
NEWAYGO	Milo A. White		White Cloud
OAKLAND	Earl L. Phillips	Harry J. Merritt	Royal Oak
OCEANA	Albert S. Hinds		Hart
OGEMAW	James B. Ross		West Branch
ONTONAGON			Ontonagon
OSCEOLA	Dan Youngs		Reed City
OSCODA			Mio
OTSEGO	Claude E Shannon		Gaylord
OTTAWA	Daniel F. Pagelsen	Jarrett N. Clark	Zeeland
PRESQUE ISLE			Rogers City
ROSCOMMON	W. Clarence Smith		Roscommon
SAGINAW	Donald F. Nash	William J. Smith	Birch Run
SANILAC	Hugh C. Morris	James N. Teets	Sandusky
SCHOOLCRAFT	J. Joseph Herbert		Manistique
SHIAWASSEE	Milton G. Schancupp	Herbert L. Porter	Owosso
ST. CLAIR	William O. Covington	Chester L. Benedict, Jr.	Port Huron
ST. JOSEPH	John S. Flanders	Harry C Hayman	Three Rivers
TUSCOLA	Chester H. Chesnut	Myron David Orr	Caro
VAN BUREN	James E. Chandler	Carleton W. Benton	Lawton
WASTENAW	Joseph C. Hooper	Lee N. Brown	Ann Arbor
WAYNE	Robert E. Sage	Henry G. Nicol	Grosse Pointe
	John Kaminski	George T. Murphy	Detroit
WEXFORD			Cadillac

WAYNE COUNTY DEPARTMENTS AND OFFICIALS

PROSECUTING ATTORNEY COUNTY OF WAYNE

500 Police Headquarters Bldg.
1300 Beaubien Street RAndolph 5700

Prosecuting Attorney:
Harry S. Toy
Chief Assistant Prosecuting Attorney:
W. Gomer Krise
Assistant Prosecuting Attorneys:
Verne C. Amberson, Howard Bowman, William D. Brusstar, William C. Buckingham, Ignace A. Capizzi, Stephen J. Carey, Miles N. Culehan, Buell A. Doelle, George S. Fitzgerald, Alex K. Gage, George E. Gullen, Chester P. O'Hara, Guy W. Jensen, Oren A. Johnson, O. William Johnson, Harry F. Kelly, Sherman F. Kelly, Thomas A. Kenney, Lloyd A. Loomis, John T. Meier, Cosimo Minardo, Herbert E. Munro, Philip J. Neudeck, Walter Phillips, Frank G. Schemanske, George W. Schudlich, Edmund E. Shepherd, George M. Stutz, John A. Sunday.
Special Assistant Prosecuting Attorneys:
Argyll E. Campbell, George A. Gray, John R. Pfeifle, Carl Schweikart, Ned H. Smith.
Chief Investigating Officer:
Fred G. Raymond
Assistant Investigating Officers:
John M. Bischoff, Edward F. Burns, Joseph Burns, John A. Collins, Fred Fuller, John Hastings, Charles Lambert, John A. MacDonald, Don Martin, Larry Middleton, John A. Moritz, Charles A. Parkes, George Perrine, Jas. F. Quinn, Leonard Smith, Harold D. Truax.
Chief Clerk:
William W. Hannan
Assistant Chief Clerk:
Hans Scheiwe
Social Service Department:
Patricia Lawlor, Charlotte Rolison, Margaret V. Stein.
Stenographers:
Yvonne E. Allen, Leona Fisher, Gertrude Howell, Harry A. Kenworthy, Blanche M. Koehler, Lulu E. McDaid, Dorothy Oakman, Dorothy Phillips, Floss L. Schutter, Ottilie Stanczak, Marguerite L. Sullivan, Betty Wall.
Switchboard Operator:
Eileen R. Cuddy

COUNTY CORPORATION COUNSEL

Prosecuting Attorney of Wayne County
508 County Building RAndolph 2370

Counsel—Oscar A. Kaufman.
Secretary—Clara C. Gaertner.

ORGANIZATION OF THE WAYNE CIRCUIT COURT

Presiding Judge—Ira W. Jayne

COMMITTEES

Ways and Means
Chairman—Judge Joseph A. Moynihan. Judge Lester S. Moll, Judge Harry B. Keidan, Judge Allan Campbell.

Rules
Chairman—Judge Robert M. Toms, Judge James E. Chenot, Judge Clyde I. Webster.

Friend of the Court
Chairman—Judge Guy A. Miller, Judge Homer Ferguson, Judge Arthur Webster, Judge Harry J. Dingeman.

Probation
Chairman—Judge Ormond F. Hunt, Judge DeWitt H. Merriam, Judge Vincent M. Brennan, Judge Thomas J. Murphy.

Library
Chairman—Judge Theodore J. Richter, Judge Ira W. Jayne, Judge Adolph F. Marschner.

ASSIGNMENT CLERK AND STAFF

Assignment Clerk—George A. Kruger.
Assistants—Fred Ott, Harry M. Williams. William B. Goodsmith, Merritt J. O'Dette.
Stenographer—Ann V. Cramer.

COURT REPORTERS

For Judge Clyde I. Webster—B. F. Whitman.
For Judge Harry J. Dingeman—George Donaldson.
For Judge Adolph F. Marschner—B. D. Connolly.
For Judge Ira W. Jayne—Clara S. Ireland.
For Judge Arthur Webster—W. F. Giefel.
For Judge Joseph A. Moynihan—Edmund Daniel.
For Judge Theodore J. Richter—G. H. Carlisle.
For Judge Vincent M. Brennan—W. H. Baker.
For Judge DeWitt H. Merriam—A. V. Robson.
For Judge Guy A. Miller—Leo W. Banker.
For Judge Ormond F. Hunt—F. W. McNamara.
For Judge Harry B. Keidan—Harry S. Cole, Jr.
For Judge Robert M. Toms—Ernest H. Wieber.
For Judge Lester S. Moll—N. J. Dixson.
For Judge Homer Ferguson—Harry R. Howse.
For Judge Allan Campbell—Sidney H. Minns.
For Judge James E. Chenot—Harry G. Reigner.
For Judge Thomas J. Murphy—Thomas Davies.

DEPUTY SHERIFFS

For Judge Clyde I. Webster—Geo. N. Beauchamp.
For Judge Harry J. Dingeman—Louis J. Berg.
For Judge Adolph F. Marschner—Emil Cerds.
For Judge Ira W. Jayne—George Gunn, Al Bomka.
For Judge Arthur Webster—J. J. Ostrander.
For Judge Joseph A. Moynihan—Robert Y. Ogg.
For Judge Theodore J. Richter—Rudolph Lenz.
For Judge Vincent M. Brennan—Dan McLeod.
For Judge DeWitt H. Merriam—August Petersmark.
For Judge Guy A. Miller—W. Howells.
For Judge Ormond F. Hunt—Fred Tetro.
For Judge Harry B. Keidan—Harry Pullman.
For Judge Robert M. Toms—Stanley Bevans.
For Judge Lester S. Moll—Leo Burke.
For Judge Homer Ferguson—James P. Wray.
For Judge Allan Campbell—Joe Ronkowski.
For Judge James E. Chenot—A. J. Schoenher.
For Judge Thomas J. Murphy—Geo. Kosmoski.

FRIEND OF THE COURT ORGANIZATION

9th Floor Barlum Tower Randolph 3665

Friend of the Court—Edward Pokorny.
Chief Assistant—Hazen E. Kunz.
Assistants—Harold O. Erickson, Philo A. Hickey, Owen M. Carroll. Edward S. Piggins, Henry M. Rehn.

Mortgage and Land Contract Division

Chief—Kenneth M. Thomas.
Attorneys—Edward J. Singelyn, Lloyd R. Neff, Ben Davidson.
Investigator—Thomas A. Blessing.

Investigators

Chief—Joseph W. Pilarski.
Assistants—John L. Behrens, Elizabeth Leadley, Emil A. Toll, Paul Pokorny, Walter Thompson, Charles H. Gagnier, Edward J. Olson, Frank McGreevy, Henry S. Dunbar, Ernest L. Hoeft, John Koch, Thomas D. Leadbetter.

Deputy Sheriffs

Chief—Frank W. Faery.
William Cook.
Cashier—Richard Lindsley.
Ass't Cashier—Elizabeth McDonald.
Bookkeeper—Lillian Schuknecht.
Clerks—Jessie Press, Daniel Graney.
Information Clerk—William Murray.
Messenger and File Clerk—Gus A. Kranz.
Telephone Operator—Loretta Hudson.

Stenographers

Chief—Genevieve Rohlman.
Assistants—Elsa Richter, Barbara Trice, Edith Hartman, Mary James, Clara Blackwell, Dorothy Parsille, Elizabeth Smith, Esther Navarre.

PROBATION DEPARTMENT ORGANIZATION

County Bldg. **Randolph 7247**

Chief Probation Officer—William H. Venn.
Deputy Chief Probation Officer—Ferd H. Wright.
Women's Department — Mary Rutherford Stokes.
Investigators—L. A. Plagens, J. A. Warren.

SHERIFF'S OFFICE

Room 502, County Building. RAndolph 2370

Sheriff—Thomas C. Wilcox, County Jail. Cad. 6615.
Under Sheriff—Joseph H. Creedon, County Jail. Cad. 6615 (Dr. Mark Herzfeld, Resigned).
Chief Deputy—Joseph H. Creedon, County Jail. Cad. 6615. Rand. 2370.
Legal Advisor—George A. Lumsden.
Chief Clerk—George Buckley.
Chief Execution Deputy—Stanley Thornton.
Execution Deputies—Stanley Kaul, S. J. Leve, Roy Radner.
Cashier—Harry Woolley.
Bookkeeper—Harold H. Moons.
Jury Clerk—William Range.
Chief Counter Clerk—David Gottlieb.
Counter Clerks—William E. Dunstan, William C. Petit.
Appraiser—John E. Toyra.
Custodians—William Morrison, Jr.; Ted Kaul.
Detectives—William D. Bell, M. A. Burnham, Thomas Dunnigan, C. B. Gallagher, Randall Potter, Roy Small, Benton Riddle, Jacob Spalansky. Cherry 3640.
Chief Court Deputy—John Callahan.
Court Deputies—Geo. N. Beauchamp, Louis J. Berg, Stanley Bevan, Leo Burke, Albert W. Darass, Peter Dingeman, Jas. N. Downey, Emil Gerds, Roy H. Grant, Geo. J. Gunn, W. J. Howells, Geo. B. Kosmowski, Rudolph Lenz, Daniel J. McLeod, Albert Minton, Robert Y. Ogg, John J. Ostrander, August Petersmark, Harry G. Pullman, Joe Rankowski, Amandus J. Schoenherr, Edw. Sharrar, Frank A. Sherman, Chas. Spencer, Fred A. Tetro, Jas. P. Wray.
Process Deputies—Raymond W. Bilton, Albert Block, Neita C. Currie, Wm. P. Drummond, Karl L. Forsyth, L. W. Frick, Isadore Jacobson, Al Jamison, Louis Locker, Robert E. Markland, Wesley J. Wing.

COUNTY JAIL

Corner Beaubien and Clinton

CAdillac 4170 **CLifford 1449**

Chief Turnkey—Albert M. Bacon; Cad. 5925.
Chief Asst. Turnkey—George Shaw.
Asst. Turnkeys—Bernard E. Bray; William Creed; Cad. 4170. Louis Wagner.
Chief Jail Clerk—Philip Case; Cad. 4170.
Jail Clerks—Patrick Norton; Michael Habousch; Anthony Tenerowicz; Harold Schonfeld; Cad. 4170.
Property Clerk—Frank H. Meade; Cad. 4170.
Asst. Property Clerk—Ray Harner.
Chief Matron—Nellie Schlee; Cad. 5834.
Matrons—Fannie M. Campbell; Clara Choyke; Nellie M. Collins; Edna Dickty; Rita M. Ouellette.
Identification Bureau—
Robert E. Moore, Supt.; Cad. 6339.
William L. Hendricks; Ned Curtin, Assistants.
Medical Asst.—Frank W. Carney; Cad. 6339.

TREASURER OF WAYNE COUNTY

206 County Bldg. **RAndolph 2370**

Treasurer—Jacob P. Sumeracki.
Deputy Treasurer—Max R. Lemaux.
Chief Clerk—James A. Tracy.
Chief Accountant—Clarence Carpenter.
Cashier—Harry J. Wildman.
Ass't Cashiers—Peter Anderson, Rob't O. McCarthy, Oliver J. Patterson.

COUNTY CLERK'S OFFICE

Room 212 County Bldg.
Telephone RAndolph 2370

County Clerk—Elmer B. O'Hara.
Chief Deputy Clerk—Joseph C. Snider.
Chief Court Clerk—Franklyn K. Morgan.
Asst. Chief Court Clerk—Richard C. Hewitt.
Cashier—Alice M. Hergiton.
Chief Marriage Clerk—Frank B. Gladych.

OFFICE OF CIRCUIT COURT COMMISSIONERS

Clerk's Office, Room 101, County Bldg.
Phone—RAndolph 2370, Lines 21 and 137

Commissioners

Henry G. Nicol, Room 105, County Bldg., Robert E. Sage, Room 104, County Bldg., John Kaminski, Room 1715 Barlum Tower, George T. Murphy, Room 1723 Barlum Tower.
Chief Clerk—Eber Ward Lester.
Cashier—John T. Stolpa.
Chancery Clerk—Freda G. Crofut.

BOARD OF COUNTY AUDITORS

201 County Bldg. **RAndolph 2370**

AUDITORS

Chairman—William H. Green, Jr.
Secretary—John C. Cowan
Ray D. Schneider
Accountant—Benj. B. Pelham
Chief Ass't. Accountant—A. L. Grant
Bookkeeper—Max Smith
Purchasing Agent—Walter W. Gutman

WAYNE COUNTY JURY COMMISSIONERS

9th Floor Barlum Tower

Samuel Bastien, Elizabeth R. Donnelly, John J. Tighe, Edward G. Heckel, Walter P. Wood, Michael G. Howarn, John B. Murphy.
Secretary—Clarence R. Shaw.

WAYNE COUNTY DRAIN COMMISSIONER

1601 Barlum Tower Randolph 2370, Ext. 5

Drain Commissioner—Leon J. Nowicki.
Deputy Commissioner—Stanley J. Borucki.

OFFICE OF THE REGISTER OF DEEDS COUNTY OF WAYNE

213 County Bldg., Randolph 2370

Register—Harold E. Stoll.
Deputy Register—Geo. W. Kavanagh.
Secretary—W. B. Gannon.
Chief Clerk—Chas. P. Benoit.

CORONERS' OFFICE OF WAYNE COUNTY

Morgue, Lafayette and Brush St.
Phone—RAndolph 3662 or 2370

Coroners—Albert A. Hughes, M. D.; Edmund J. Knobloch, M. D.
Deputies—Lyle C. Ling, Edmund G. Woodman.
Medical Examiners—William D. Ryan, M. D.; E. A. Drolshagen, M. D.; Paul A. Klebba, M. D.; Werner C. Kersten, M. D.; Vincent S. Mancuso, M. D.; D. Wesley Johnston, M. D.; Mary Tyron, M. D.
Chief Clerk—J. Albert Keane.
Attorney—Noble G. Larkins.
Stenographer—Frank Stawecke.
Clerks—Louis Serafin, Stanley Mirus, John Toyra, Foster Knobloch.

WAYNE COUNTY TRACT INDEX DEPARTMENT

528 County Bldg. Phone RAndolph 2370

Superintendent—John F. Sweeney.
Assistant Superintendent—Daniel A. Dacey.

PURCHASING AGENT

509 County Bldg. Randolph 2370

Purchasing Agent—Walter Gutman.

RESEARCH BUREAU

217 County Bldg. Randolph 2370

Director—Eugene Mathivet, Jr.

ROAD COMMISSIONERS

3800 Barlum Tower—Randolph 7670

Commissioners—Edw. N. Hines, John S. Haggerty, Michael J. O'Brien, Leroy Smith.

BUREAU OF TAXATION

513 County Bldg. Randolph 2370

Director—Albert E. Champney.

PUBLIC SERVICE EMPLOYEES' ASSOCIATION

Incorporated

3103 Barlum Tower Cadillac 6476
Detroit, Michigan

President—John T. Meier, Ass't. Pros. Att'y.
Sec.-Treas.—Betty Herbert, City Treas. Office.
Rec. Sec.—Clyde W. Hough, Legal Div., D. S. R.
Vice-Presidents—William E. Cohan, Traffic Court; John J. Considine, Recreation Dept.; Hon. Joseph Gillis, Common Pleas Court; W. Gomer Krise, Prosecutor's Office; Helen E. Carr, City Physician's Office; Esther S. Gitlin, Welfare Dept.; William C. Larson, Budget Bureau; George C. Thomas, Water Board; Carl Malloy, Board of Education; Joseph W. Brady, Recorder's Court; George P. Huber, D. P. W.; James M. Flynn, City Chemist's Office; Floyd L. Yorton, Bldg. & Safety Engineer's Dept.; Lulu P. Von Weddigen, Secretary of State's Office; Thomas Davey, Sheriff's Office; Corrine Nutto, Corporation Counsel's Office; Thomas Jacques, Probate Court; Wm. Geo. Johnston, D. P. W.; Leon H. Harman, Legal Dept., D. S. R.

NOTE — Kindly keep us informed of any change in the personnel of your office, or any change of address and phone numbers. This will ensure you of being correctly listed in subsequent issues.

PHONE—CADILLAC 1102-3

WAYNE COUNTY—CITY, TOWNSHIP AND VILLAGE OFFICERS OUTSIDE OF DETROIT

CITY OFFICERS

DEARBORN

Mayor.......Clyde M. Ford
Clerk.......Myron A. Stevens
Treasurer.......William A. Kaiser
Councilmen: Clarence W. Ford, Reginald V. Bovill, Anthony M. Esper, Edward W. Tysinger, Ernest G. Miller, Michael Korte, Joseph W. Schaefer.
Assessors: Lysander T. Maples, Edward J. Clay, Joseph Karmann.
Justices: Leo R. Schaefer, Lila M. Neuenfelt.
City Attorney.......Jas. E. Green
Chief of Police.......Carl Brooks

HAMTRAMCK

Mayor.......Peter C. Jezewski
Clerk.......Frank Matulewicz
Treasurer.......John Anger
Councilmen: Stanley Sporny, Joseph C. Czarnecki, Julius Karwowski, Joseph J. Mitchell, Walter G. Merique.
Assessor.......Max A. Wosinski
Justices: Joseph A. Lewandowski, Arthur J. Rooks.
City Attorney.......William Cohen
Chief of Police.......William Berg

HIGHLAND PARK

Mayor.......N. Ray Markland
Clerk.......Thomas E. Shawcross
Treasurer.......Robert M. Smith
Commissioners: R. Stanley Wilson, Joseph M. Hackett,. Dr. E. V. Beardslee, Martin H. Zink.
Assessor.......George L. Voorhis
Justice.......George L. Badder
Associate Justice.......Clyde L. Fulton
Attorney.......Earl B. Young

LINCOLN PARK

Mayor.......Arthur P. Zirkaloso
Clerk.......John M. O'Connor
Treasurer.......Norman C. Ept
Councilmen: Russel V. White, Jasper N. Howard, Oral J. Greenfield, Frank W. Norton, William Raupp, Winfred Crowley.
Assessor.......William McGathen
Justice.......Norman S. James
City Attorney.......Frank G. Mixer
Chief of Police.......Chas. Barker

MELVINDALE

Mayor.......Jas. E. Kewin
Clerk.......S. A. Mabie
Treasurer.......Thos. Sharon
Councilmen: DeRoy H. Adams, Earl B. Baker, Dick Bismark, Chas. H. Donaldson, Earl Goodwin, Wm. S. McKittrick.
Assessor.......Thos. Yeager
Justice.......Herman D. Farris
City Attorney.......R. F. Woodliff
Chief of Police.......Glen Mabie

PLYMOUTH

Mayor.......Freeman B. Hover
City Manager.......L. P. Cookingham
Treasurer.......Nellie V. Cash
Assessor.......Wm. B. Petz
Commissioners: Geo. H. Robinson, John W. Henderson, Arthur E. Blunk, Oliver Goldsmith.
Municipal Judge.......Herald F. Hamill
Attorney.......Arlo A. Emery
Chief of Police.......Vaughn R. Smith
Constable.......Geo. W. Springer

RIVER ROUGE

Mayor.......Arthur L. Valade
Clerk.......Raymond J. Peters
Treasurer.......Louis Goniea
Commissioners: August Philippart, Grove J. Thorn, Henry W. Belisle, Percy B. Balcom.
Assessor.......Lee L. Rivard
Justice.......Francis X. Grant
Asociate Justice.......Edmund T. Higgins
Chief of Police.......Walter Hancock

WYANDOTTE

Acting Mayor.......John Clements
City Clerk.......Lawrence J. LaCourse
City Treasurer.......John T. McWhirter
Councilmen: Howard L. Baxter, H. L. Blomshield, John Clements, Edmund Kurzatkowski, Arthur Gobb, Ford Wager.
City Assessor.......W. A. McClenahen
Justice.......Roy Coomer
Associate Justice.......Herbert P. Schendel
City Attorney.......W. Hugh Williams
Chief of Police.......Wm. P. Rutledge

TOWNSHIP OFFICERS

BROWNSTOWN

Supervisor.......Frank Vreeland
Clerk.......Otto W. Geissler
Treasurer.......Harley Wager
Justices: Dr. P. F. Hasley, Frank Eno (Rockwood), John A. Brighton (Romulus), Jesse Van Riper (Flat Rock).
Constables: Roy Vreeland, Joseph Liddle, Wesley Cox, Otto Neifert.

CANTON

Supervisor.......Philip Dingeldey (Plymouth, R. 4)
Clerk.......Andrew Smith (Wayne, R. 1)
Treasurer.......Colburn Dennis (Plymouth)
Justices: Arthur Huston (Plymouth), Bert Mott (Ypsilanti, R. F. D.), Charles Curtis (Wayne), John Hauk (Plymouth).
Constables: Bert Walling, Philip Dingeldey, Jr., Percy Gotts, Byron Wilkins.

DEARBORN

Supervisor.......William T. Kronberg (Dearborn, Box 87)
Clerk.......Arthur Nixon (929 Gale St., Inkster)
Treasurer.......Benjamin D. Landsberg (Inkster)
Justices: John L. Mokerski (Dearborn, R. 1), Samuel Parsons (Dearborn), Henry Devers, (Inkster), Gordon H. Baxter (Inkster).
Constables: Albert Blossingham (Inkster), Elmer Rechlin (Dearborn), Louis K. Thiede (Inkster), Wm. B. Gould (Inkster).

ECORSE

Supervisor..........Frank X. Lafferty
(Ecorse)
Clerk..........Nicholas J. Strassner
(Ecorse)
Treasurer..........Levi R. Leblanc
(Allen Park)
Justices: Albert J. Montie (Ecorse), Jas. Clark (Ecorse), John L. Riopelle (Ecorse), Roy W. Seavitt (Ecorse).
Constables: Chas. Heige, Geo. Beaubien, Leo C. Navarre, Wilson B. Kock (Ecorse).

GRATIOT

Supervisor..........Peter Ternes
Clerk..........Eugene Michels
Treasurer..........Frank Lefevre
Justice: Arthur Ternes.
Constables: Edw. Tessmer (Lockmoor), Frank Tessmer, Jos. Kuhn, Arthur Ternes.

GROSSE ILE

Supervisor..........Hale G. Knight
Clerk..........Elizabeth L. Johnson
Treasurer..........Randolph T. Guest
Justices: Norman T. Tieman, Anthony G. Oldani, Christopher C. Sherwood, Orlin C. Moore.

GROSSE POINTE

Supervisor..........Edmund C. Vernier
(Lochmoor)
Clerk..........Ralph E. Beaupre
(Grosse Pointe Farms)
Treasurer..........Adolph L. Damman
(Grosse Pointe Farms)
Justices: John LaBelle (Grosse Pointe Farms), Walter Schweikart (Grosse Pointe Park), Victor DeBaeke (Grosse Pointe Park), Wm. F. Dorn (Grosse Pointe Village).
Constables: Daniel G. Allor (Grosse Pointe Farms), Samuel A. Gordon (Grosse Pointe Village), A. T. Phillips (Grosse Pointe Park), J. H. Trombley (Grosse Pointe Farms).

HURON

Supervisor..........Ernst F. Gumton
(Waltz)
Clerk..........Oscar Burns
(New Boston)
Treasurer..........John Spiecker
(Waltz
Justices: Morris E. Eves (Waltz), Theodore Niemann (Waltz), George D. Adams (New Boston), Joseph Vogt (New Boston).
Constables: Louis E. Niemann (Waltz), Louis Laura, Julius Washer (Waltz), Henry Swartz.

LIVONIA

Supervisor..........Jesse Ziegler
(Farmington, R. R. 2)
Clerk..........John Harlan
(Farmington, R. R. 2)
Treasurer..........Daniel McKinney
(Plymouth, R. 2)
Justices: Mabelle Rohde (Plymouth, R. 3), Levi Clemens (Plymouth, R. F. D.), Joseph Grace (Farmington, R. F. D.).
Constables: Roy Owens (Farmington), Edw. Howard (Plymouth), John Whitehead (Plymouth), Walter Trap (Plymouth).

MONGUAGON

Supervisor..........William F. Von Moll
(Trenton)
Clerk..........Francis Thomas
(Trenton)
Treasurer..........Frank Matthews
(Riverview, R. R. 1)
Justices: Samuel L. Vreeland, Wyandotte, R. F. D. 2), George S. Deamud, Sr. (Trenton), Roy Smith (Wyandotte, R. R. 2), Frank Mathews (Riverview, R. R. 1).
Constables: Wm. Mexicotte, John L. Downey, John T. Labo, Roy Manning (All of Trenton).

NANKIN

Supervisor..........Peter J. Snyder
Clerk..........Albert R. Walker
Treasurer..........Florence Zimmerman
Justices: Italy D. Vining, Willis R. Harrison (Inkster), John B. Murphy, John H. Freeman.
Constables: Wm. Shephard (Inkster), Geo. R. Russell, Milo A. Butler, Lon M. Clark (Wayne).

NORTHVILLE

Supervisor..........W. A. Ely
Clerk..........E. L. Smith
Treasurer..........Jennie Cousins
Justices: Wellington Roberts, Joseph Blake.
Constables: Frank Perrin, Jas. Black, Ulie Tibbets, E. E. Perrin.

PLYMOUTH

Supervisor..........Charles H. Rathburn
Clerk..........Norman C. Miller
Treasurer..........Samuel W. Spicer
Justices: William C. Webber, Walter Postiff, Maud Bennet, Frank L. Becker.
Constables: Harry Keyes, Jack Calhoun, La Vern Wilson, Chas. Davis.

REDFORD

Supervisor..........Sylvester Shear
Clerk..........Perry M. Smith
Treasurer..........Merwin Sage
Justices: Raymond Stuckey (R. F. D. 3, Det.), Victor Heberlein (Highland Park and Evergreen), Robert Cameron (R. F. D. 3, Det.), Walter Cieslac (R. F. D. 3, Det.).
Constables: Cecil Shapena, Russell Coon, Max Scheel, Clyde Chavey.

ROMULUS

Supervisor..........Ernest J. Fulford
Clerk..........Daniel W. Ridge
Treasurer..........Nelson L. Bower
Justices: Ira F. Johnson, Ira E. White, I. Jay Wilson.
Constables: Glenn Bunnell, L. T. Moore, Geo. Pullen (Romulus), Geo. Dickelman (Inkster).

SUMPTER

Supervisor..........John R. Sherwood
(Willis)
Clerk..........Bert Merritt
(Box 44, R. 4, Belleville)
Treasurer..........Bertha Klapper
(Belleville)
Justices: Guy C. Akans (Bellville), Geo. J. Elwart (Waltz).
Constables: Jack Altman, Emil Raskin, H. K. Marx, Wm. Brand (Willis).

TAYLOR

Supervisor..........Russell W. Lowe
(Inkster, R. 1)
Clerk..........Walter W. Prouty
(Inkster, R. 1)
Treasurer..........Albert G. Damerow
(Romulus, R. R.)
Justice: Herman Kanorski (Romulus, R. 1).
Constables: Stanley Grendle, Wm. Conrad, Jos. A. Charney (Inkster), John Bryan (Romulus).

VAN BUREN

Supervisor..........Fred J. Vorce
(Belleville)
Clerk..........Fred F. Fehlig
(Belleville)
Treasurer..........Henry Newton
(Belleville, R. 1)
Justice: Carl G. Zeidler (Belleville).
Constables: Fred L. Miller, Harry Agge, Stanley Sobolowsky, Chas. Arnold (Belleville).

VILLAGE OFFICERS

ALLEN PARK

President.....Frederick L. Schwass
(Dearborn, R. 2)
Clerk.....Lloyd Quandt
(Dearborn, R. 2)
Treasurer.....Alice Burger
(Lincoln Park, R. 2)
Assessor.....Elmer Quandt
(Dearborn, R. 2)
Councilmen: Louis Backus, Frank Champagne (Lincoln Park), Chas. Lindemann, O. D. Reynolds, Chas. Schaefer, Chas. Weigt (Dearborn).

BELLEVILLE

President.....Fred C. Fischer
Clerk.....Charles S. Forbes
Treasurer.....S. R. Hamilton
Assessor.....Edward Mulreed

ECORSE

President.....Wm. W. Voisine
Clerk.....Don H. Beckman
Treasurer.....Paul Vollmar
Assessor.....Richard Penny

FLAT ROCK

President.....Oscar W. Smith
Clerk.....Jas. Mathewson
Treasurer.....Richard Oestrike
Assessor.....Robert M. Johnson
Commissioners: O. H. Ruettinger, Delbert H. Wager.

GARDEN CITY

President.....Thomas P. Ross
(Wayne)
Clerk.....Carl Heavlin
(Wayne)
Treasurer.....E. B. Dawson
(Wayne)
Assessor.....Thomas Hickey
(Wayne)
Commissioners: Olie Campbell, Ralph McMullan, Francis McManus, Edw. J. Miles.

GROSSE POINTE

President.....R. P. Connor
Clerk.....N. P. Neff
Treasurer.....Theo. G. Osius
Assessor.....Neil Blondell

GROSSE POINTE FARMS

President.....Theo. H. Hinchman
Clerk.....John R. Kerby
Treasurer.....Cyriel O. Teetaert
Assessor.....Walter A. Allard

GROSSE POINTE PARK

President.....Alfred J. Garska
Clerk.....Waldo J. Berns
Treasurer.....Charles D. Heise, Jr.
Assessor.....John F. DeYonker
Commissioners: Samuel Bastien, Louis A. De Hayes, Otto J. Groehn, Wm. E. Krapp, Wm. P. Shoemaker, J. P. Verlinden.

GROSSE POINTE SHORES

President.....Clarence N. White
Clerk.....William C. Roney
Treasurer.....Arthur H. Bennett
Assessors: Ford Ballantyne, Charles F. Becker, H. J. Woodall.

INKSTER

President.....Frances R. Fellrath
Clerk.....Freda P. Kurtsell
Treasurer.....Mabel Van Vlear
Assessor.....Charles Wiseman
Councilmen: Jay A. Patterson, Edwin W. Daly, John G. Lange, Henry DeVers.

LOCHMOOR

President.....Roy C. Crane
Clerk.....Philip F. Allard
Treasurer.....George Schaefer
Assessor.....Geo. J. Aghman
Commissioners: Edw. Vanderbush, William Wright, M. S. Fischer, Arthur H. Bost, Jules DePorre, Geo. A. Ross.

NORTHVILLE

President.....Dr. Linwood W. Snow
Clerk.....Frederick Hedge
Treasurer.....John Litsenberger
Assessor.....C. A. Sessions
Commissioners: Howard H. Burkart, Wm. T Gregory, Geo. A. Hicks, Wilson J. Perkins.

RIVERVIEW

President.....Thornton H. Colvin
Clerk.....James L. Hale
Treasurer.....Walter Keisel
Assessor.....Jennie M. Batten
Councilmen: Nicholas Bogits, Chester H. Pilz, Chas. R. Hale, Elmer Manning.

ROCKWOOD

President.....Archie Lezotte
Clerk.....Seward Woodruff
Treasurer.....Frank L. Smith
Assessor.....Arnold Kaiander
(Rockwood, R. F. D. 1)

TRENTON

President.....William R. Teifer
Clerk.....Leonard Frebes
Treasurer.....Russell J. Barrow
Assessor.....Alvin T. Lister

WAYNE

President.....George H. Gerbstadt
Clerk.....Isabelle K. Comer
Treasurer.....Emma John
Assessor.....George C. Walker
Commissioners: Rollo W. Reiser, John Truesdell.

It is the aim of the publisher to make this book the outstanding one of its kind in the country. Your suggestions for improving its general makeup and contents are cheerfully solicited. This is your book—help us improve it.

CITY OF DETROIT

OFFICE OF THE MAYOR

First Floor, City Hall **Cherry 0566**

Acting Mayor—John W. Smith.

COMMON COUNCIL

President Pro Tem—Richard Lindsay.
Clerk—Richard W. Reading (City Clerk).
Members—William P. Bradley, Fred W. Castator, Frank J. Couzens (resigned), John S. Hall, Edward J. Jeffries, Jr., Richard Lindsay, John C. Lodge, John W. Smith, Eugene I. Van Antwerp.
Stenographers—Philip Alexander, Edward B. Marks.
Sergeant-at-Arms—Joseph Thiery.

The Common Council meets every day except Saturday and Sunday as a committee of the whole. The regular session is held every Tuesday at 7 P. M.

CITY CLERK'S OFFICE

Rooms 303-305 City Hall, Phone Cherry 1260

City Clerk—Richard W. Reading.
Deputy City Clerk—John W. Eisman.
Principal Clerk—Walter E. Schemanske.
Council Clerk—Ralph Sitter.
Complaint Clerk—Ernest Crooks.

CITY TREASURER'S OFFICE

Second Floor, City Hall
Phone Cherry 2080

City Treasurer—Charles L. Williams.
Deputy City Treasurer—A. E. Cobo.
Chief Clerk—E. C. Deimel.
Chief Cashier—William Arnold.
Prin. Clerk, General Tax—A. E. Seyler.
Prin. Clerk, Special Tax—McGregor Neville.
Prin. Clerk, Back Tax—John Flannery.
Prin. Clerk, Personal Tax—Oren Bowen.
Paymaster—Walter Schweier.
Accountant—Loyal Seyler.
Prin. Clerk, Condemnation Award Dept.—Fred G. Engel.

OFFICE OF THE CORPORATION COUNSEL

301 City Hall. Phone—CHerry 9640 or 1260.

Corporation Counsel—Raymond J. Kelly.
Chief Assistant—Walter Barlow.
Assistants—John Atkinson, Arthur L. Barkey, Paul T. Dwyer, Nathaniel H. Goldstick, Vance G. Ingalls, William J. Kent, Arthur F. Lederle, James H. Lee, Clarence E. Page, Julian P. Rodgers, Walter E. Vashak, James R. Walsh, John H. Witherspoon.
Office Manager—Corinne Nutto.
Public Utility Statistician—John H. Morgan.
Condemnation Clerk—Edward A. Walinske.
Claim Investigators—Lt. Frank J. Hogan, Sergt. Ralph Frazier, Dect. Albert Evans.
Stenographers—Gordon McKee, Helen Kaiser.
Telephone Operator—Anna Cummings.

DEPARTMENT OF POLICE

Headquarters at 1300 Beaubien Street
Telephone Randolph 5700

Acting Commissioner—John P. Smith.
Acting First Deputy Commissioner and Superintendent—James E. McCarthy.
Second Deputy Commissioner and Secretary—William R. Logan.
Fourth Deputy Commissioner, Director of Women's Division—Eleanore L. Hutzel.
Acting Deputy Superintendent—Louis L. Berg.
District Inspectors—Wm. T. Doyle (Acting), William Black, Norton M. Schuknecht.
Director of Traffic—Edward A. Mitte.
Counsel for Police Department—Nathaniel H. Goldstick (Asst. Corp. Counsel).

DETECTIVE BUREAU

Chief of Detectives—Fred W. Frahm.
Deputy Chief of Detectives—Henry W. Piel.
Auto Recovery Squad—Insp. W. L. Dwyer.
Homicide Squad—Insp. John Navarre.
Holdup Squad—Insp. Wm. Collins.
Bureau of Identification—Insp. Chas. C. Carmody.
Narcotic Squad—Insp. Edward Kunath.
Missing Persons Squad—Insp. Thomas Wilson.
Bogus Check Squad—Insp. Robert McPherson.
Special Investigation Squad—Lieut. John Hoffman.
Juvenile Squad—Lieut. Wm. M. Johnson.
Paymaster—Insp. Peter N. Girardin.
Accident Investigation Bureau—Insp. Henry J. Garvin.
Chief Clerk—Christopher Fox.
Secretary to the Commissioner—Amos Beattie.
Department Physician—Dr. Charles M. Turrell.
Department Surgeon—Dr. A. D. McAlpine.
Director of Traffic—Edward A. Mitte.
License Clerk—Lieut. Raymond B. Jacques.
Property Clerk—Lieut. Edward Domke.
Superintendent of Signal Bureau—Insp. W. L. Potts.
Superintendent of Construction Division—Insp. John S. Kott.
Sealer of Weights and Measures—Insp. John W. Bates.
Bureau of Records—Insp. George Abel.

LOCATION OF STATIONS

First Precinct—Police Hdqrts. Bldg., 1300 Beaubien St.
Second Precinct—Michigan and Trumbull Avenues.
Third Precinct—Dubois and Gratiot.
Fourth Precinct—West Fort St. and Green Avenue.
Fifth Precinct—McClellan and Smith Avenues.
Sixth Precinct—Braden and McGraw Avenues.
Seventh Precinct—Chene and Canfield Ave. East.
Eighth Precinct—Grand River and 12th St.
Ninth Precinct—Bethune and John R. St.
Tenth Precinct—Petoskey Avenue north of Joy Rd.
Eleventh Precinct—Davison and Conant Avenues.
Twelfth Precinct—Seven Mile Rd. West, near Woodward.
Thirteenth Precinct—E. Canfield Ave., east of Woodward.
Fourteenth Precinct—Schaefer Highway, near Grand River Ave.
Fifteenth Precinct—Gratiot and Connors Avenues.
Traffic Division—Police Headquarters Bldg.
Mounted Division—Bethune and John R. Sts.
Motor Division—2650 East Jefferson Ave.
Harbormaster's Division—Belle Isle.

BOARD OF ASSESSORS

13th Floor Water Board Bldg. (Gen. Office) CHerry 3750

Members of Board

President—John J. Scott.
Vice-President—Jos. A. Schulte.
Kenneth J. McCarren, Geo. J. Finn.
Secretary—Jas. A. Burns.
Chief Assistants—Wm. F. Crudder, A. B. Evans, George Barrie, Chas. Jacob.
Personal Assessment Division—H. C. Fuller.
Special Assessment Division—Thos. M. Corcoran.
Principal Engineer—L. J. Stefanac.

CITY CONTROLLER

735 Randolph St. CHerry 1730

Controller—Wm. J. Curran.
Deputy Controller—Leo J. Monahan.
City Bond Registrar—Wm. Hall.
Chief Controller's Accountant—Edwin C. Coughlin.
Acting Budget Director—David Addy.

CITY ELECTION COMMISSION OF DETROIT

Room 109, City Hall Phone Cherry 1260

COMMISSIONERS

City Clerk (Chairman)—Richard W. Reading.
Pres. Pro Tem, Common Council—John W. Smith.
Recorder—John A. Boyne.
Chief Supervisor—Oakley E. Distin.

CITY PLAN COMMISSION OF DETROIT

17th Floor, Water Board Bldg., Cherry 3660

President—Henry E. Beyster.
Vice President—Max A. Ramm.
City Planner and Secretary — Walter H. Blucher.
Members—William R. Kales, Dr. J. Stanley Leszynski, Veno E. Sacre, Joseph T. Schiappacasse, Edward A. Schilling. (Two vacancies).

PURCHASES AND SUPPLIES

735 Randolph St. Cherry 9461

Commissioner—John J. Gorman.
Secretary—Don E. Twombley.

BUDGET DIRECTOR

735 Randolph St. Cherry 1730

Director—David Addy.

BUILDINGS AND SAFETY ENGINEERING

555 Clinton St. Randolph 7004

Commissioner—Jos. P. Wolff.
Deputy Commissioner—E. L. Sanderson.

CONDEMNATION COMMISSION

735 Randolph St. Cherry 3750

Chairman—Thos. M. Corcoran.
Commissioner—Martin R. Fisher.

PUBLIC WORKS DEPARTMENT

104 City Hall—Cherry 1260

Commissioner—L. G. Lenhardt.
Secretary—Lewis H. Echlin.
Engineer—Jos. H. Stringham.

PORT COMMISSION

320 W. Lafayette Blvd.—Cherry 3700

Commissioners—Chas. E. Baisley, Chas. H. Lincoln, Alvan Macauley, Jr., Leonard P. Reaume.
Secretary—Leonard V. Simms.

BOARD OF EDUCATION

1354 Broadway—Cherry 7150

Board—Frank A. Gorman, A. Douglas Jamieson, Angus McLean, Laura F. Osborn, Burt R. Shurly, John H. Webster.
Superintendent—Frank Cody.
Deputy Superintendent—Chas. L. Spain.
Secretary and Business Mgr.—Chas. A. Gadd.
Treasurer—Chas. L. Williams.

BOARD OF HEALTH

3919 John R. St.—Columbia 4302

Board—Dr. Wm. A. Evans, Dr. Ledru O. Geib. Gustavus D. Pope, Wm. M. Walker.
Commissioner—Henry F. Vaughan.
Deputy Commissioner—Bert V. Estabrook.

DEPARTMENT OF PUBLIC WELFARE

City Service Bldg., 555 Clinton, Cadillac 0506
Receiving Hospital—St. Antoine and Macomb Sts. Telephone, Cadillac 7305.
Receiving Hospital—Redford Branch, 21220 Grand River.
Municipal Bureau of Markets—2693 18th St. Telephone Lafayette 2322.

PUBLIC WELFARE COMMISSION

Commissioners—James Fitzgerald, Gertrude F. Wineman, William J. Seymour, M. D., Robert W. Woodroofe.

EXECUTIVE STAFF

General Superintendent—John F. Ballenger.
Consulting Superintendent—Thomas E. Dolan.
Assistant Superintendent—Harry Zahrn.
Secretary—Wm. C. Markley.
Supt. Receiving Hospital—Egil T. Olsen, M. D.
Director, Bureau of Markets—G. V. Branch.
Supervisor City Physicians—J. Frank Kilroy, M. D.
Chief Accountant—Benjamin J. Tobin.
Chief Clerk—Donald E. Smith.

HOSPITALS

HERMAN KIEFER

Hamilton and Taylor Sts. Trinity 2-1542
Superintendent—Geo. E. Phillips.

RECEIVING

Macomb and St. Antoine Sts. Cadillac 7305
Superintendent—E. T. Olsen.

WM. H. MAYBURY SANITARIUM

Northville, Mich. Northville 460
Superintendent—B. H. Douglas.

DETROIT HOUSE OF CORRECTION

Plymouth, Mich.

Superintendent—Edw. Denniston.
Deputy Superintendent—A. Blake Gillies.
Ass't Superintendent—Mrs. K. H. Campbell.

RECORDER'S COURT OF DETROIT PERSONNEL

Judge John A. Boyne—Courtroom No. 10
John F. Potrekus, Clerk.
John Stellger, Stenographer.
Judge John V. Brennan—Courtroom No. 8
Edward P. Marschner, Clerk.
Phillip Maltry, Stenographer.
Judge Thomas M. Cotter—Courtroom No. 4
Harry C. O'Neill, Clerk.
Chester A. Stickle, Stenographer.
Judge Arthur E. Gordon—Courtroom No. 2
Ned F. Stevenson, Clerk.
L. B. Mann, Stenographer.
Judge Edward J. Jeffries—Courtroom No. 7
Duncan J. L. McColl, Clerk.
George Laurin, Stenographer.
Judge John P. Scallen—Courtroom No. 1
Ray F. Clement, Clerk.
Hilmer Gellein, Stenographer.
Judge W. McKay Skillman—Courtroom No. 5
Butler A. Sumner, Clerk.
Ellsworth S. Beavis, Stenographer.
Judge Christopher E. Stein—Courtroom No. 9
Jeremiah J. Kenney, Clerk.
Edward E. Erwin, Stenographer.
Judge Henry S. Sweeny—Courtroom No. 3
John P. Hastings, Clerk.
J. D. Ambrose, Stenographer.
Judge Donald Van Zile—Courtroom No. 6
Robert D. McClear, Clerk.
Lée Kanser, Stenographer.
Clerk—Percy L. Monteith.

PSYCHOPATHIC CLINIC

Director—I. L. Polozker, M. D.
Ass't Director—J. Clark Moloney, M. D.

PROBATION DEPARTMENT

The Recorder's Court
(Municipal Court Bldg., Clinton and St. Antoine.)

Chief Probation Officer—George T. Gaston.
Deputy Chief Probation Officer—James D. Ross.
Assistant Chief Probation Officer—Frank P. Finn.
Director, Domestic Relations Division—Ralph H. Ferris.
Director, Women's Division—Kathleen J. Lowrie.
Director, Adjustment Division—Catherine K. Rutledge.
Secretary-Treasurer—Louis Hall.
Secretary to Chief Probation Officer—Irene E. Crocker.

RECORDER'S COURT JURY COMMISSIONERS

1601 Water Board Bldg., Cherry 3750
Term of office, 3 years

Commissioners—John L. Whitehead, William A. Hamlin, Jean B. Chamberlain.

CIVIL SERVICE COMMISSION OF DETROIT

15th and 16th Floors, Water Board Bldg.
Phone Cadillac 3196-9

President of Commission—Frank F. Eubank.
Commissioners—Frank Eaman, Harry H. Mead Joseph Wedda.
Secretary and Chief Examiner—Fred W. Smith.

DEPT. OF STREET RAILWAYS

GENERAL OFFICES

St. Jean and Shoemaker Whittier 4800

COMMISSIONERS

President—Sidney D. Waldon.
Herbert L. Russell.
A. F. Brzezinski.
Secretary—H. B. Kuder.
Manager of Operation—Del A. Smith.

INFORMATION BUREAU

108 City Hall Randolph 8409

George W. Keller, in charge

LEGAL STAFF

Principal Attorney—Jas. S. Shields.
Assistants—A. A. Bonczak, L. H. Harmon, W. J. McBrearty, H. F. Pisula, C. E. Ruby, L. A. Sullivan.
Claims Adjuster—Fred Stone.

JUDICIAL SALES

For Official List of places where Mortgage, Chancery and Sheriff's Sales are held in the counties of Michigan, see Pages XIV, XV.

FIVE YEAR CALENDAR

CALENDAR FOR 1928

JANUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

MARCH

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

JULY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

CALENDAR FOR 1929

JANUARY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

MARCH

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JULY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

CALENDAR FOR 1930

JANUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

MARCH

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APRIL

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	23	29	30			

MAY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUNE

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JULY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

SEPTEMBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DECEMBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

CALENDAR FOR 1931

JANUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

CALENDAR FOR 1932

JANUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

MARCH

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JUNE

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AUGUST

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

DECEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

TWO HUNDRED YEAR REFERENCE CALENDAR

To ascertain the day of the week for any given date within a period of two hundred years—from 1752 to 1952—consult the instruction paragraph at the bottom of the table.

YEARS 1752 TO 1952											Jan	Feb	Mar	Apr	May	Jun	Jly	Aug	Sep	Oct	Nov	Dec
1761 1801	1767 1807	1778 1818	1789 1829	1795 1835	1846	1857 1903	1863 1914	1874 1925	1885 1931	1891 1942	4	7	7	3	5	1	3	6	2	4	7	2
1762 1802	1773 1813	1779 1819	1790 1830	1841	1847	1858 1909	1869 1915	1875 1926	1886 1937	1897 1943	5	1	1	4	6	2	4	7	3	5	1	3
1757 1803	1763 1814	1774 1825	1785 1831	1791 1842	1853	1859 1910	1870 1921	1881 1927	1887 1938	1898 1949	6	2	2	5	7	3	5	1	4	6	2	4
1754 1805	1765 1811	1771 1822	1782 1833	1793 1839	1799 1850 1901	1861 1907	1867 1918	1878 1929	1889 1935	1895 1946	2	5	5	1	3	6	1	4	7	2	5	7
1755 1806	1766 1817	1777 1823	1783 1834	1794 1845	1800 1851 1902	1862 1913	1873 1919	1879 1930	1890 1941	1947	3	6	6	2	4	7	2	5	1	3	6	1
1758 1809	1769 1815	1775 1826	1786 1837	1797 1843	1854 1905	1865 1911	1871 1922	1882 1933	1893 1939	1899 1950	7	3	3	6	1	4	6	2	5	7	3	5
1753 1810	1759 1821	1770 1827	1781 1838	1787 1849	1798 1855	1866 1906	1877 1917	1883 1923	1894 1934	1900 1945 1951	1	4	4	7	2	5	7	3	6	1	4	6

LEAP YEARS									29										
1764	1792	1804	1832	1860	1888	1928		7	3	4	7	2	5	7	3	6	1	4	6
1768	1796	1808	1836	1864	1892	1904	1932	5	1	2	5	7	3	5	1	4	6	2	4
1772		1812	1840	1868	1896	1908	1936	3	6	7	3	5	1	3	6	2	4	7	2
1776		1816	1844	1872		1912	1940	1	4	5	1	3	6	1	4	7	2	5	7
1780		1820	1848	1876		1916	1944	6	2	3	6	1	4	6	2	5	7	3	5
1756	1784	1824	1852	1880		1920	1948	4	7	1	4	6	2	4	7	3	5	1	3
1760	1788	1828	1856	1884		1924	1952	2	5	6	2	4	7	2	5	1	3	6	1

1	2	3	4	5	6	7
Monday 1	Tuesday 1	Wednesday 1	Thursday 1	Friday 1	Saturday 1	SUNDAY 1
Tuesday 2	Wednesday 2	Thursday 2	Friday 2	Saturday 2	SUNDAY 2	Monday 2
Wednesday 3	Thursday 3	Friday 3	Saturday 3	SUNDAY 3	Monday 3	Tuesday 3
Thursday 4	Friday 4	Saturday 4	SUNDAY 4	Monday 4	Tuesday 4	Wednesday 4
Friday 5	Saturday 5	SUNDAY 5	Monday 5	Tuesday 5	Wednesday 5	Thursday 5
Saturday 6	SUNDAY 6	Monday 6	Tuesday 6	Wednesday 6	Thursday 6	Friday 6
SUNDAY 7	Monday 7	Tuesday 7	Wednesday 7	Thursday 7	Friday 7	Saturday 7
Monday 8	Tuesday 8	Wednesday 8	Thursday 8	Friday 8	Saturday 8	SUNDAY 8
Tuesday 9	Wednesday 9	Thursday 9	Friday 9	Saturday 9	SUNDAY 9	Monday 9
Wednesday 10	Thursday 10	Friday 10	Saturday 10	SUNDAY 10	Monday 10	Tuesday 10
Thursday 11	Friday 11	Saturday 11	SUNDAY 11	Monday 11	Tuesday 11	Wednesday 11
Friday 12	Saturday 12	SUNDAY 12	Monday 12	Tuesday 12	Wednesday 12	Thursday 12
Saturday 13	SUNDAY 13	Monday 13	Tuesday 13	Wednesday 13	Thursday 13	Friday 13
SUNDAY 14	Monday 14	Tuesday 14	Wednesday 14	Thursday 14	Friday 14	Saturday 14
Monday 15	Tuesday 15	Wednesday 15	Thursday 15	Friday 15	Saturday 15	SUNDAY 15
Tuesday 16	Wednesday 16	Thursday 16	Friday 16	Saturday 16	SUNDAY 16	Monday 16
Wednesday 17	Thursday 17	Friday 17	Saturday 17	SUNDAY 17	Monday 17	Tuesday 17
Thursday 18	Friday 18	Saturday 18	SUNDAY 18	Monday 18	Tuesday 18	Wednesday 18
Friday 19	Saturday 19	SUNDAY 19	Monday 19	Tuesday 19	Wednesday 19	Thursday 19
Saturday 20	SUNDAY 20	Monday 20	Tuesday 20	Wednesday 20	Thursday 20	Friday 20
SUNDAY 21	Monday 21	Tuesday 21	Wednesday 21	Thursday 21	Friday 21	Saturday 21
Monday 22	Tuesday 22	Wednesday 22	Thursday 22	Friday 22	Saturday 22	SUNDAY 22
Tuesday 23	Wednesday 23	Thursday 23	Friday 23	Saturday 23	SUNDAY 23	Monday 23
Wednesday 24	Thursday 24	Friday 24	Saturday 24	SUNDAY 24	Monday 24	Tuesday 24
Thursday 25	Friday 25	Saturday 25	SUNDAY 25	Monday 25	Tuesday 25	Wednesday 25
Friday 26	Saturday 26	SUNDAY 26	Monday 26	Tuesday 26	Wednesday 26	Thursday 26
Saturday 27	SUNDAY 27	Monday 27	Tuesday 27	Wednesday 27	Thursday 27	Friday 27
SUNDAY 28	Monday 28	Tuesday 28	Wednesday 28	Thursday 28	Friday 28	Saturday 28
Monday 29	Tuesday 29	Wednesday 29	Thursday 29	Friday 29	Saturday 29	SUNDAY 29
Tuesday 30	Wednesday 30	Thursday 30	Friday 30	Saturday 30	SUNDAY 30	Monday 30
Wednesday 31	Thursday 31	Friday 31	Saturday 31	SUNDAY 31	Monday 31	Tuesday 31

HOW TO USE—To ascertain the day of the week desired, first look in the top part of the table under "Years," then follow across the row to the figure under the month given. After getting that figure refer to the corresponding figure in the column of days at the bottom. Follow that column down to the date given and it will give you the day of the week on which that date fell. For example: To find the day of the week August 19, 1887, fell on we look in the tenth column of years and find 1887. Following that row across to August we find the figure 1, which refers us to the first column down to the 19th we find that it was Friday.

1752 same as 1772 from January 1 to September 2. From September 14 to December 31, same as 1780. September 3 to 13 were omitted. (This calendar is from Whittaker's London Almanack—revised.)

Leap Years are given in a table by itself.

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RULES OF PRACTICE

FEDERAL, STATE, COUNTY AND CITY COURTS

Rules of the Supreme Court of the United States

Adopted June 5, 1928. Effective July 1, 1928. Amended June 1, 1931, and May 31, 1932.

(The Acts of February 13, 1925, c. 229, 43 Stat. 936, January 31, 1928, c. 14, 45 Stat. 54, and April 26, 1928, c. 440, 45 Stat. 466, are printed in an Appendix.)

FOR REVIEW ON APPEAL SEE RULES 9, 10, 12, 36 AND 46, AMONG OTHERS.

FOR REVIEW ON CERTIORARI SEE, AMONG OTHERS, RULES 38, 39, 41 AND 42.

RULE 1

Clerk

1. The clerk of this court shall reside and keep the office at the seat of the National Government, and he shall not practice as attorney or counsellor in any court, while he continues in office.

2. The clerk shall not permit any original record or paper to be taken from the office without an order from the court or one of the justices, except as provided by Rule 13, paragraph 4.

RULE 2

Attorneys and Counsellors

1. It shall be requisite to the admission of attorneys or counsellors to practice in this court, that they shall have been such for three years past in the highest courts of the State, Territory, District, or Insular Possession to which they respectively belong, and that their private and professional characters shall appear to be good.

2. In advance of application for admission, each applicant shall file with the clerk (1) a certificate from the presiding judge or clerk of the proper court showing that he possesses the foregoing qualifications, and (2) his personal statement setting out the date and place of his birth, the names of his parents, his place of residence and office address, the courts of last resort to which he has been admitted, the places where he has been a practitioner, and, if he is not a native born citizen, the date and place of his naturalization.

3. Admissions will be granted only upon oral motion by a member of the bar in open court, and upon his assurance that he knows, or after reasonable inquiry believes, the applicant possesses the necessary qualifications and has filed with the clerk the required certificate and statement.

4. Upon being admitted, each applicant shall take and subscribe the following oath or affirmation, viz:

I, ——— ———, do solemnly swear (or affirm) that I will demean myself, as an attorney and counsellor of this court, uprightly, and according to law; and that I will support the Constitution of the United States.

5. Where it is shown to the court that any member of its bar has been disbarred from practice in any State, Territory, District, or Insular Possession, or has been guilty of conduct unbecoming a member of the bar of this court, he will be forthwith suspended from practice before this court, and unless, upon notice mailed to him at the address shown in the clerk's records and to the clerk of the highest court of the State, Territory, District or Insular Possession, to which he belongs, he shows good cause to the contrary within forty days he will be disbarred.

RULE 3

Clerks to Justices Not to Practice

No one serving as a law clerk or secretary to a member of this court shall practice as an attorney or counsellor in any court while continuing in that position; nor shall he after separating from that position practice as an attorney or counsellor in this court until two years shall have elapsed after such separation.

RULE 4

Law Library

1. During the sessions of the court, any gentleman of the bar having a case on the docket, and wishing to use any books in the law library, shall be at liberty, upon application to the clerk, to receive an order to take the same (not exceeding four at any one time) from the library, he becoming thereby responsible for the prompt return of the same. And if the same be not so returned, he shall be responsible for, forfeit and pay twice the value thereof, and also one dollar per day for each day's detention beyond two days.

2. The clerk shall deposit in the law library, to be there carefully preserved, one copy of the printed record in every case submitted to the court for its consideration, and of all printed motions and briefs therein.

3. The marshal shall take charge of the books of the court, together with such of the duplicate law books as Congress may direct to be transferred to the court, and arrange them in the conference room, which he shall have fitted up in a proper manner; and he shall not permit such books to be taken therefrom by any one except the justices of the court.

RULE 5

Practice

This court considers the former practice of the courts of king's bench and of chancery, in England, as affording outlines for the practice of this court in matters not covered by its rules or decisions, or the laws of Congress.

RULE 6

Process

1. All process of this court shall be in the name of the President of the United

States, and shall contain the given names, as well as the surnames, of the parties.

2. When process at common law or in equity shall issue against a State, the same shall be served on the governor, or chief executive magistrate, and attorney general, of such State.

3. Process of subpoena, issuing out of this court, in any suit in equity, shall be served on the defendant sixty days before the return day of such process; and if the defendant, on such service of the subpoena, shall not appear at the return day, the complainant shall be at liberty to proceed ex parte.

RULE 7

Motions—Including Those to Dismiss or Affirm—Summary Docket—Motion Day

1. Every motion to the court shall be printed, and shall state clearly its object and the facts on which it is based.

2. Oral argument will not be heard on any motion unless the court specially assigns it therefor, when not exceeding one-half hour on each side will be allowed.

3. No motion by respondent to dismiss a petition for writ of certiorari will be received. Objections to the jurisdiction of the court to grant writs of certiorari may be included in briefs in opposition to petitions therefor.

A motion by appellee to dismiss an appeal will be received in advance of the court's ruling upon the jurisdictional statements only when presented in the manner provided by Rule 12, paragraph 3. When such a motion is made, the appellant shall have 20 days after service upon him within which to file in this court 40 printed copies of a brief opposing the motion, except that where his counsel resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, or an outlying possession, the time shall be 25 days.

A motion by respondent to dismiss a writ of certiorari or by appellee to dismiss an appeal, after the court has ruled upon the jurisdictional statements and accompanying motions, if any (Rule 12, paragraph 5), will be received if not based upon grounds already advanced in opposition to the granting of the writ of certiorari or to the noting of jurisdiction of the appeal. Such motions, together with motions to dismiss certificates in case of questions certified, must be printed and 40 copies thereof must be filed with the clerk, accompanied by proof that a copy of the motion, and accompanying brief, if any, have been served upon counsel of record for the opposing party. The opposing party shall have 20 days from the date of such service within which to file a printed brief opposing the motion. When counsel for the opposing party resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, or an cutlying possession, the time shall be 25 days. Upon the filing of the opposing brief, or the expiration of the time allowed therefor, or express waiver of the right to file, the motion and briefs thereon shall be distributed by the clerk to the court for its consideration.

The pendency of a motion to dismiss or affirm shall not preclude the placing of the cause upon the calendar of the court for oral argument or its being called for argument when reached.

4. The court will receive a motion to affirm on the ground that it is manifest that the appeal was taken for delay only, or that the questions on which the decision of the cause depends are so unsubstantial as not to need further argument. The procedure provided in paragraph 3 of this rule for motions to dismiss shall apply to and control motions to affirm. A motion to affirm may be united in the alternative with a motion to dismiss.

5. Although the court upon consideration of a motion to dismiss or a motion to affirm may refuse to grant the motion, it may, if it concludes that the case is of such a character as not to justify extended argument, order the cause transferred for hearing to the summary docket. The hearing of causes on such docket will be expedited from time to time as the regular order of business may permit. A cause may be transferred to the summary docket on application, or on the court's own motion. See Rule 28, paragraphs 3 and 6.

6. Monday of each week, when the court is in session shall be motion day; and motions specially assigned for oral argument shall be entitled to preference over other cases.

RULE 8

Bills of Exception—Charge to Jury—Omission of Unnecessary Evidence

The judges of the district courts in allowing bills of exception shall give effect to the following rules:

1. No bill of exceptions shall be allowed on a general exception to the charge of the court to the jury in trials at common law. The party excepting shall be required before the jury retires to state distinctly the several matters of law in such charge to which he excepts; and no other exceptions to the charge shall be allowed by the court or inserted in a bill of exceptions.

2. Only so much of the evidence shall be embraced in a bill of exceptions as may be necessary to present clearly the questions of law involved in the rulings to which exceptions are reserved, and such evidence as is embraced therein shall be set forth in condensed and narrative form, save as a proper understanding of the questions presented may require that parts of it be set forth otherwise. See Equity Rule 75b, 226 U. S. Appendix, p. 23, as amended, 286 U. S. —.

RULE 9

Assignment of Errors

Where an appeal is taken to this court from a state court, a district court or a circuit court of appeals (see sections 237(a), 238 and 240(b) of the Judicial Code as amended February 13, 1925), the appellant shall file with the clerk of the court below, with his petition for appeal, an assignment of errors (see Rev. Stat. sec. 997), which shall set out separately and particularly each error asserted. No appeal shall be allowed unless such an assignment of errors shall accompany the petition. See Rule 36.

RULE 10

Appeal—Citation—Record—Designation of Parts to be Included in Transcript

1. When an appeal is allowed a citation to the appellee shall be signed by the judge or justice allowing the appeal and shall be made returnable not exceeding forty days from the day of signing the citation, whether the return day fall in vacation or in term time, except in appeals from California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming and Montana, when the time shall be sixty days. The citation must be served before the return day.

2. The clerk of the court from which an appeal to this court may be allowed, shall make and transmit to this court under his hand and the seal of the court a true copy of the material parts of the record, always

including the assignment of errors, and any opinions delivered in the case.

To enable the clerk to perform such duty and for the purpose of reducing the size of transcripts and eliminating all papers not necessary to the consideration of the questions to be reviewed, it shall be the duty of the appellant, or his counsel, to file with the clerk of the lower court, together with proof or acknowledgment of service of a copy on the appellee, or his counsel, a praecipe indicating the portions of the record to be incorporated into the transcript. Should the appellee, or his counsel, desire additional portions of the record incorporated into the transcript, he or his counsel shall file with the clerk of the lower court his praecipe, within ten days thereafter (unless the time be enlarged by a judge of the lower court or a justice of this court), indicating the additional portions of the record desired to be included. See Equity Rules 75-77, 226 U. S. Appendix, p. 23, as amended, 286 U. S. —.

The clerk of the lower court shall transmit to this court as the transcript of the record only the portions of the record covered by such designations.

The parties or their counsel may by written stipulation filed with the clerk of the lower court indicate the portions of the record to be included in the transcript, and the clerk shall then transmit only the parts designated in such stipulation.

In all cases the clerk shall include in the transcript all papers filed under authority of Rule 12. See Rule 12, paragraph 4.

If this court shall find that any portion of the record unnecessary to a proper presentation of the case has been incorporated into the transcript at the instance of either party, the whole or any part of the cost of printing and the clerk's fee for supervising the printing may be ordered to be paid by the offending party.

3. No case will be heard until a record, containing in itself, and not by reference, all the papers, exhibits, depositions, and other proceedings which are necessary to the hearing, shall be filed.

4. Whenever it shall be necessary or proper, in the opinion of the presiding judge in the court from which the appeal is taken that original papers of any kind should be inspected in this court, such presiding judge may make such rule or order for the safekeeping, transporting, and return of such original papers as to him may seem proper, and this court will receive and consider such original papers along with the usual transcript.

5. The record in cases of admiralty and maritime jurisdiction, when under the requirements of law the facts have been found in the court below, and the power of review is limited to the determination of questions of law arising on the record, shall be confined to the pleadings, findings of fact and conclusions of law thereon, opinions of the court, final judgment or decree, and such interlocutory orders and decrees as may be necessary to a proper determination of such questions.

RULE 11

Docketing Cases

1. It shall be the duty of the appellant to docket the case and file the record thereof with the clerk of this court by or before the return day, whether in vacation or in term time. But, for good cause shown, the justice or judge who signed the citation, or any justice of this court, may enlarge the time, before its expiration, the order of enlargement to be filed with the clerk of this court. If the appellant shall fail to comply with this rule, the appellee may have the cause docketed and the appeal dismissed upon producing a certificate, whether in term or vacation, from the clerk of the court wherein the judgment or decree was rendered, stating the case and certifying that such appeal has been duly allowed. And in no case shall the appellant be entitled to docket the cause and file the record after the appeal shall have been dismissed under this rule, unless by special leave of the court.

2. But the appellee may, at his option, docket the case and file a copy of the record with the clerk of this court; and if the case is docketed and a copy of the record filed by the appellant within the period of time prescribed by this rule, or by the appellee within forty days thereafter, the case shall stand for argument.

3. Upon the filing of the record brought up by appeal, the appearance of the counsel for the party docketing the case shall be entered.

RULE 12

Jurisdiction of This Court to Review Upon Appeal

1. Upon the presentation of a petition for the allowance of an appeal to this court, from any court, to any judge or justice empowered by law to allow it, there shall be presented by the applicant a separate typewritten statement particularly disclosing the basis upon which it is contended that this court has jurisdiction upon appeal to review the judgment or decree in question. The statement shall refer distinctly (a) to the statutory provision believed to sustain the jurisdiction, (b) to the statute of the state, or statute or treaty of the United States, the validity of which is involved (giving the volume and page where the statute or treaty may be found in the official edition), setting it out verbatim or appropriately summarizing its pertinent provisions; and (c) to the date of judgment or decree sought to be reviewed and the date upon which the application for appeal is presented. The statement shall show that the nature of the case and of the rulings of the court was such as to bring the case within the jurisdictional provision relied on, and shall cite the cases believed to sustain the jurisdiction.

If the appeal is from an interlocutory decree of a specially constituted District Court of the United States (Judicial Code, sec. 266; U. S. C., Tit. 28, sec. 380), the statement must also include a showing of the matters in which it is claimed that the court has abused its discretion in granting or denying the interlocutory injunction. (Alabama vs. United States, 279 U. S. 229.)

2. If the appeal is allowed, the appellant shall serve upon the appellee within 5 days after such allowance (a) a copy of the petition for and order allowing the appeal, together with a copy of the assignments of error and of the statement required by paragraph 1 of this rule, and (b) a statement directing attention to the provisions of paragraph 3 of this rule. Proof of service of the papers required by this paragraph to be served shall be filed forthwith with the clerk of the court possessed of the record, and shall be incorporated by him in the transcript of record prepared for this court upon the appeal.

3. Within 15 days after such service the appellee may file with the clerk of the court possessed of the record, and serve upon the appellant, a typewritten statement disclosing any matter or ground making against the jurisdiction of this court asserted by the appellant. There may be included in, or filed with, such opposing statement, a motion by appellee to dismiss or affirm. Where such a

motion is made, it may be opposed as provided in Rule 7, paragraph 3.

4. The clerk of the court possessed of the record shall include the statements and motions, required and permitted to be filed under the provisions of this rule, in the transcript of record prepared for the use of this court on the appeal, anything in the praecipes or stipulations of the parties (Rule 10, paragraph 2) to the contrary notwithstanding.

5. After the case shall have been docketed in this court by the appellant, and the transcript of record filed (Rule 11, paragraph 1), the clerk of this court shall forthwith print the appellant's statement required by paragraph 1 of this rule and the opposing statement, and motions, if any, permitted by paragraph 3 of this rule, and the clerk shall thereupon distribute such printed papers to the court for its consideration.

At the time of docketing the case the appellant shall make such cash deposit with the clerk, in addition to such deposit as may be required under Rule 13, paragraph 1, as shall be necessary to defray the cost of printing 40 copies of his statement filed pursuant to paragraph 1 of this rule; and the appellee, upon demand, shall forthwith deposit with the clerk a sum sufficient to cover the cost of printing 40 copies of any statement or motions filed under paragraph 3 of this rule.

6. If either appellant or appellee fails to comply with the provisions of this rule, the clerk of this court shall report such failure to the court immediately so that this court may take such action as it deems proper.

RULE 13

Printing Records—Designation of Points Intended to be Relied Upon and of Parts of Record to be Printed

1. In all cases the appellant, on docketing a case and filing the record, shall make such cash deposit with the clerk for the payment of his fees as he may require, or otherwise satisfy him in that behalf.

2. Immediately after the designation of the parts of the record to be printed or the expiration of the time allotted therefor (see paragraph 9 of this rule), the clerk shall make an estimate of the cost of printing the record, his fee for preparing it for the printer and supervising the printing, and other probable fees, and shall furnish the same to the party docketing the case. If such estimated sum be not paid on or before a date designated by the clerk of this court in each case, it shall be the duty of the clerk to report the fact to the court, whereupon the cause will be dismissed, unless good cause to the contrary is shown.

3. Upon payment of the amount estimated by the clerk, thirty copies of the record shall be printed, under his supervision, for the use of the court and of counsel.

4. In cases of appellate jurisdiction the original transcript on file shall be taken by the clerk to the printer. But the clerk shall cause copies to be made for the printer of such original papers, sent up under Rule 10, paragraph 4, as are necessary to be printed; and of the whole record in cases of original jurisdiction.

5. The clerk shall supervise the printing, and see that the printed copy is properly indexed. He shall distribute the printed copies of the justices and the reporter, from time to time, as required, and a copy to the counsel for the respective parties.

6. If the actual cost of printing thee record, together with the fees of the clerk, shall be less than the amount estimated and paid, the difference shall be refunded by the clerk to the party paying it. If the actual cost and clerk's fees shall exceed the estimate, the excess shall be paid to the clerk within forty days after notice thereof, and if it be not paid the matter shall be dealt with as if it were a default under paragraph 2 of this rule, as well as by rendering a judgment against the defaulting party for such excess.

7. In case of reversal, affirmance, or dismissal, with costs, the cost of printing the record and the clerk's fees shall be taxed against the party against whom costs are given, and shall be inserted in the body of the mandate or other process.

8. Upon the clerk's producing satisfactory evidence, by affidavit of the acknowledgment of a party or his surety, of having served on such party or surety a copy of the bill of fees due by him in this court, and showing that payment has not been made, an attachment shall issue against such party or surety to compel payment of such fees.

9. When the record is filed, or within five days thereafter, the appellant shall file with the clerk a definite statement of the points on which he intends to rely and of the parts of the record which he thinks necessary for the consideration thereof, with proof of service of the same on the adverse party. The adverse party, within ten days after service of the statement and designation required to be filed by appellant may designate in writing, filed with the clerk, additional parts of the record which he thinks material; and, if he shall not do so, he shall be held to have consented to a hearing on the parts designated by the appellant. The parts of the record so designated by one or both of the parties, and only those parts, shall be printed by the clerk. The statements of points intended to be relied upon and the designations of the parts of the record to be printed shall be printed by the clerk with the record. He shall, however, omit all duplication, all repetition of titles and all other obviously unimportant matter, and make proper note thereof. The court will consider nothing but the points of law so stated and the parts of the record so designated. If at the hearing it shall appear that any material part of the record has not been printed, the appeal may be dismissed or such other order made as the circumstances may appear to the court to require. If either party shall have caused unnecessary parts of the record to be printed, such order as to costs may be made as the court shall think proper.

The fees of the clerk under Rule 32, paragraph 6, shall be computed on the folios in the record as filed, and shall be in full for the performance of his duties in that regard.

RULE 14

Translations

Whenever any record transmitted to this court upon appeal shall contain any document, paper, testimony, or other proceedings in a foreign language, without a translation of such document, paper, testimony, or other proceedings, made under the authority of the lower court, or admitted to be correct, the case shall be reported by the clerk, to the end that this court may order that a translation be supplied and printed with the record.

RULE 15

Further Proof

1. In all cases where further proof is ordered by this court, the depositions which may be taken shall be by a commission, to be issued from this court, or from any district court of the United States.

2. In all cases of admiralty and maritime jurisdiction, where new evidence shall be admissible in this court, the evidence by testi-

mony of witnesses shall be taken under a commission to be issued from this court, or from any district court of the United States, under the direction of any judge thereof; and no such commission shall issue but upon interrogatories, to be filed by the party applying for the commission, and notice to the opposite party or his agent or attorney, accompanied with a copy of the interrogatories so filed, requiring him to file cross-interrogatories within twenty days from the service of such notice.

RULE 16

Objections to Evidence in the Record

In all cases of equity or admiralty jurisdiction, heard in this court, no objection to the admissibility of any deposition, deed, grant, or other exhibit found in the record as evidence shall be entertained, unless such objection was taken in the court below and entered of record. Where objection was not so taken the evidence shall be deemed to have been admitted by consent.

RULE 17

Certiorari to Correct Diminution of Record

No certiorari to correct diminution of the record will be awarded in any case, unless a printed motion therefor shall be made, and the facts on which the same is founded shall be shown, if not admitted by the other party, by affidavit. All such motions must be made not later than the first motion day after the expiration of sixty days from the printing of the record, unless for special cause shown the court receives the motion at a later time.

RULE 18

Models, Diagrams, and Exhibits of Material

1. Models, diagrams, and exhibits of material forming part of the evidence taken in a case, and brought up to this court for its inspection, shall be placed in the custody of the marshal at least one month before the case is heard or submitted.

2. All such models, diagrams, and exhibits of material, placed in the custody of the marshal must be taken away by the parties within forty days after the case is decided. When this is not done, it shall be the duty of the marshal to notify counsel to remove the articles forthwith; and if they are not removed within a reasonable time after such notice, the marshal shall destroy them, or make such other disposition of them as to him may seem best.

RULE 19

Death of Party—Revivor—Substitution

1. Whenever, pending an appeal or writ of certiorari in this court, either party shall die, the proper representative in the personalty or realty of the deceased, according to the nature of the case, may voluntarily come in and be admitted as a party to the suit, and thereupon the case shall be heard and determined as in other cases; and if such representative shall not voluntarily become a party, the other party may suggest the death on the record, and on motion obtain an order that, unless such representative shall become a party within a designated time, the party moving for such order, if appellee or respondent, shall be entitled to have the appeal or writ of certiorari dismissed; and if the party so moving be appellant or petitioner he shall be entitled to open the record, and on hearing have the judgment or decree reversed, if it be erroneous: Provided, That a copy of every such order shall be printed in some newspaper of general circulation within the State, Territory, District or Insular Possession, in which the case originated, for three successive weeks, at least sixty days before the expiration of the time designated for the representative of the deceased party to appear.

2. When the death of a party is suggested, and the representative of the deceased does not appear by the second day of the term next succeeding the suggestion, and no measures are taken by the opposite party within that time to compel their appearance, the case shall abate.

3. When either party to a suit in a court of the United States shall desire to prosecute an appeal or writ of certiorari to this court from any final judgment or decree, rendered in that court, and at the time of applying for such appeal or writ of certiorari the other party to the suit shall be dead and have no proper representative within the jurisdiction of that court, so that the suit can not be revived in that court, but shall have a proper representative in some State, Territory or District of the United States, the party desiring such appeal or writ of certiorari may procure the same, if otherwise entitled thereto, and may have proceedings on such judgment or decree superseded or stayed in the manner allowed by law and shall thereupon proceed with such appeal or writ of certiorari as in other cases. And within thirty days after the time when such appeal or writ of certiorari is returnable, or if the court be not then in session within ten days after it next convenes, the appellant or petitioner shall make a suggestion to the court, supported by affidavit, that such party was dead when the appeal or writ of certiorari was allowed, and had no proper representative within the jurisdiction of the court which rendered such judgment or decree, so that the suit could not be revived in that court, and that such deceased party had a proper representative in some State, Territory or District of the United States—giving the name and character of such representative, and his place of residence; and, upon such suggestion and a motion therefor, an order may be obtained that, unless such representative shall make himself a party within a designated time the appellant or petitioner shall be entitled to open the record, and, on hearing have the judgment or decree reversed, if the same be erroneous: Provided, That a proper citation reciting the substance of such order shall be served upon such representative, either personally or by being left at his residence, at least sixty days before the expiration of the time designated: And provided, also, That in every such case if the representative of the deceased party does not appear by the second day of the term next succeeding said suggestion, and the measures above provided to compel his appearance have not been taken as above required, by the opposite party, the case shall abate: And provided, also, That the representative may at any time before or after the suggestion, but before such abatement, come in and be made a party and thereupon the case shall be heard and determined as in other cases.

4. Where a public officer, by or against whom a suit is brought, dies or ceases to hold the office while the suit is pending in a federal court, either of first instance or appellate, the matter of abatement and substitution is covered by section 11 of the Act of February 13, 1925. Under that section a substitution of the successor in office may be effected only where a satisfactory showing is made within six months after the death or separation from office.

RULE 20

Call and Order of the Docket—Motions to Advance

1. Unless it otherwise orders, the court, on the first day of each term, will commence

calling the cases for argument in the order in which they stand on the docket, and proceed from day to day during the term in the same order (except as hereinafter provided); and if the parties, or either of them, shall be ready when the case is called, the same will be heard; and if neither party shall be ready to proceed with the argument, the case shall be continued to next term or otherwise dealt with as provided in these rules.

2. Ten cases only shall be subject to call on each day during the term. But on the coming in of the court on each day the entire number of such ten cases will be called, with a view to the disposition of such of them as are not to be argued.

3. All motions to advance cases must be printed, and must contain a brief statement of the matter involved, with the reasons supporting the motion.

4. Criminal cases may be advanced by leave of the court on motion of either party.

5. Cases once adjudicated by this court upon the merits, and again brought up, may be advanced by leave of the court.

6. Revenue and other cases in which the United States is concerned, which also involve or affect some matter of general public interest, or which may be entitled to precedence under the provisions of any act of Congress, may be advanced by leave of the court on motion of the Attorney General.

7. Other cases may be advanced for special cause shown. When a case is advanced, under this or any other paragraph, it will be subject to hearing with any other case subsequently advanced and involving a like question, as if they were one case.

8. Two or more cases, involving the same question, may, by order of the court, be heard together, and argued as one case or on such terms as may be prescribed.

9. If, after a case has been continued under paragraph 1 of this rule, both parties desire to have it heard at the term of the continuance, they may file with the clerk their joint request to that effect accompanied by their affidavits or those of their counsel giving the reasons why they failed to present their argument when the case was called and why it should be reinstated. Such a request will be granted only when it appears to the court that there was good reason for the previous failure to proceed and that the request can be granted without prejudice to parties in other cases coming on regularly for hearing.

10. No stipulation to pass a case will be recognized as binding upon the court. A case can only be so passed upon application made and leave granted in open court.

11. Cases on the summary docket will be heard specially as provided in paragraph 5 of Rule 7.

RULE 21

No Appearance of Appellant or Petitioner

Where no counsel appears and no brief has been filed for the appellant or petitioner when the case is called for hearing, the adverse party may have the appellant or petitioner called and the appeal or writ of certiorari dismissed, or may open the record and pray for an affirmance.

RULE 22

No Appearance of Appellee or Resondent

Where the appellee or respondent fails to appear when the case is called for hearing, the court may hear argument on behalf of the party appearing and give judgment according to the right of the case.

RULE 23

No Appearance of Either Party

When a case is reached in the regular call, and there is no brief or appearance for either party, the case shall be dismissed at the cost of the appellant or petitioner.

RULE 24

Neither Party Ready at Second Term

When a case is called for argument at two successive terms, and upon the call at the second term neither party is prepared to argue it, it shall be dismissed at the cost of the appellant or petitioner, unless strong cause is shown for further postponement.

RULE 25

Submission on Briefs by One or Both Parties without Oral Argument

1. Any case may be submitted on printed briefs regardless of its place on the docket, if the counsel on both sides choose to submit the same in that manner, before the first Monday in May of any term. After that date cases may be submitted on briefs alone only as they are reached on the regular call.

2. When a case is reached on the regular call, if a printed brief has been filed for only one of the parties and no counsel appears to present oral argument for either party, the case will be regarded as submitted on that brief.

3. When a case is reached on the regular call and argued orally in behalf of only one of the parties, no brief for the opposite party will be received after the oral argument begins, except as provided in the next paragraph of this rule.

4. No brief will be received through the clerk or otherwise after a case has been argued or submitted, except upon special leave granted in open court after notice to opposing counsel.

RULE 26

Form of Printed Records, Petitions, Briefs, Etc.

All records, petitions, motions and briefs, printed for the use of the court must be in such form and size that they can be conveniently bound together, so as to make an ordinary octavo volume, having pages 6⅛ by 9¼ inches and type matter 4-1/6 by 7-1/6 inches. They and all quotations contained therein, and the matter appearing on the covers, must be printed in clear type (never smaller than small pica or 11-point type) adequately leaded; and the paper must be opaque and unglazed. The clerk shall refuse to receive any petition, motion or brief which has been printed otherwise than in substantial conformity to this rule.

RULE 27

Briefs

1. The counsel for appellant or petitioner shall file with the clerk, at least three weeks before the case is called for hearing, forty copies of a printed brief, one of which shall, on application, be furnished to each of the counsel engaged upon the opposite side.

2. This brief shall be printed as prescribed in Rule 26 and shall contain in the order here indicated—

(a) A subject index of the matter in the brief, with page references, and a table of the cases (alphabetically arranged), text books and statutes cited, with references to the pages where they are cited.

(b) A reference to the official report of the opinions delivered in the courts below, if there were such and they have been reported.

(c) If paragraph 1 of Rule 12 has not been complied with, a concise statement of the grounds on which the jurisdiction of this court is invoked, embodying all that is required to be set forth in the statement described in that paragraph.

(d) A concise statement of the case containing all that is material to the consideration of the questions presented, with appropriate page references to the printed record, e. g., (R. 12).

(e) A specification of such of the assigned errors as are intended to be urged.

(f) The argument (preferably preceded by a summary) exhibiting clearly the points of fact and of law being presented, citing the authorities and statutes relied upon, and quoting the relevant parts of such statutes, federal and state, as are deemed to have an important bearing. If the statutes are long they should be set out in an appendix.

3. The counsel for an appellee or respondent shall file with the clerk forty printed copies of his brief, at least one week before the case is called for hearing—such brief to be of like character with that required of the other party, except that no specification of errors need be given, and that no statement of the case need be made beyond what may be deemed necessary in correcting any inaccuracy or omission in the statement of the other side.

4. When there is no assignment of errors, as required by section 997 of the Revised Statutes, counsel will not be heard, except at the request of the court; and errors not specified according to this rule will be disregarded, save as the court, at its option, may notice a plain error not assigned or specified.

5. When, under this rule, an appellant or petitioner is in default, the court may dismiss the cause; and when an appellee or respondent is in default, the court may decline to hear oral argument in his behalf.

6. No brief, required by this rule, shall be filed by the clerk unless the same shall be accompanied by satisfactory proof of service upon counsel for the adverse party.

RULE 28

Oral Argument

1. The appellant or petitioner shall be entitled to open and conclude the argument. But when there are cross-appeals they shall be argued together as one case, and the plaintiff in the court below shall be entitled to open and conclude the argument.

2. When no oral argument is made for one of the parties, only one counsel will be heard for the adverse party.

3. Two counsel, and no more, will be heard for each party, save that in cases on the summary docket (see Rule 7, paragraph 5) only one counsel will be heard on the same side.

4. In cases on the regular docket (except where questions have been certified) one hour on each side, and no more, will be allowed for the argument, unless more time be granted before the argument begins. The time allowed may be apportioned between counsel on the same side, at their discretion; but a fair opening of the case shall be made by the party having the opening and closing.

5. In cases where questions have been certified to this court three-quarters of an hour shall be allowed to each side for oral argument.

6. In cases on the summary docket one-half hour on each side, and no more, will be allowed for the argument.

RULE 29

Opinions of the Court

1. All opinions of the court shall be handed to the clerk immediately upon the delivery thereof. He shall cause the same to be printed and shall deliver a copy to the reporter.

2. The original opinions shall be filed by the clerk for preservation.

3. Opinions printed under the supervision of the justices delivering the same need not be copied by the clerk into a book of records; but at the end of each term he shall cause them to be bound in a substantial manner, and when so bound they shall be deemed to have been recorded.

RULE 30

Interest and Damages

1. Where judgments for the payment of money are affirmed, and interest is properly allowable, it shall be calculated from the date of the judgment below until the same is paid, at the same rate that similar judgments bear interest in the courts of the State where such judgment was rendered.

2. In all cases where an appeal delays proceedings on the judgment of the lower court, and appears to have been sued out merely for delay, damages at a rate not exceeding 10 per cent., in addition to interest, may be awarded upon the amount of the judgment.

3. Paragraphs 1 and 2 of this rule shall be applicable to decrees for the payment of money in cases in equity, unless otherwise specially ordered by this court.

4. In cases in admiralty, damages and interest may be allowed only if specially directed by the court.

RULE 31

Procedendo to Issue on Dismissal

In all cases of the dismissal of any appeal or writ of certiorari in this court, the clerk shall issue a mandate, or other proper process, in the nature of a procedendo, to the court below, so that further proceedings may be had in such court as to law and justice may appertain. See Rules 34 and 35.

RULE 32

Costs

1. In all cases where any appeal or writ of certiorari shall be dismissed in this court, costs shall be allowed to the appellee or respondent unless otherwise agreed by the parties, except where the dismissal shall be for want of jurisdiction, when only the costs incident to the motion to dismiss shall be allowed.

2. In all cases of affirmance of any judgment or decree by this court, costs shall be allowed to the appellee or respondent unless otherwise ordered by the court.

3. In cases of reversal of any judgment or decree by this court, costs shall be allowed to the appellant or petitioner, unless otherwise ordered by the court. The cost of the transcript of the record from the court below shall be a part of such costs, and be taxable in that court as costs in the case.

4. No costs shall be allowed in this court either for or against the United States, except where specially authorized by statute and directed by the court.

5. When costs are allowed in this court, it shall be the duty of the clerk to insert the amount thereof in the body of the mandate, or other proper process, sent to the court below, and annex to the same the bill of items taxed in detail.

6. In pursuance of the act of March 3, 1883, authorizing and empowering this court to prepare a table of fees to be charged by the clerk of this court the following table is adopted:

For docketing a case and filing and indorsing the transcript of the record, ten dollars.

For entering an appearance, twenty-five cents.

For entering a continuance, twenty-five cents.

For filing a motion, order, or other paper, twenty-five cents.

For entering any rule or for making or copying any record or other paper, twenty cents per folio of each one hundred words.

For transferring each case to a subsequent docket and indexing the same, one dollar.

For entering a judgment or decree, one dollar.

For every search of the records of the court, one dollar.

For a certificate and seal, two dollars.

For receiving, keeping, and paying money in pursuance of any statute or order of court, two per cent. on the amount so received, kept and paid.

For an admission to the bar and certificate under seal, including filing of preliminary certificate and statement, fifteen dollars.

For preparing the record or a transcript thereof for the printer, in all cases, including records presented with petitions for certiorari, indexing the same, supervising the printing and distributing the printed copies to the justices, the reporter, the law library, and the parties or their counsel, eight cents per folio of each one hundred words; but where the necessary printed copies of the record as printed for the use of the court below are furnished, charges under this item will be limited to any additions printed here under the clerk's supervision.

For making a manuscript copy of the record, when required under Rule 13, fifteen cents per folio of each one hundred words, but nothing in addition for supervising the printing.

For a mandate or other process, five dollars.

For filing briefs, five dollars for each party appearing.

For every printed copy of any opinion of the court or any justice thereof, certified under seal, two dollars.

RULE 33

Rehearing

A petition for rehearing may be filed with the clerk, in term time or in vacation, within twenty-five days after judgment is entered, unless the time is shortened or enlarged by order of the court, or of a justice thereof when the court is not in session; and must be printed, briefly and distinctly state its grounds, and be supported by a certificate of counsel to the effect that it is presented in good faith and not for delay. Such a petition is not subject to oral argument, and will not be granted, unless a justice who concurred in the judgment desires it, and a majority of the court so determines.

RULE 34

Mandates

Mandates shall issue as of course after the expiration of twenty-five days from the day the judgment is entered, irrespective of the filing of a petition for rehearing, unless the time is shortened or enlarged by order of the court, or of a justice thereof when the court is not in session. See Rules 31 and 35.

RULE 35

Dismissing Cases in Vacation

Whenever the appellant and appellee in an appeal, or the petitioner and respondent in a writ of certiorari, shall in vacation, by their attorneys of record, file with the clerk an agreement in writing that such appeal or writ shall be dismissed, specifying the terms as respects costs, and shall pay to the clerk any fees that may be due to him, it shall be the duty of the clerk to enter such dismissal and to give to either party requesting it a copy of the agreement filed; but no mandate or other process shall issue on such dismissal without an order of the court. See Rules 31 and 34.

RULE 36

Appeals—By Whom Allowed—Supersedeas

I. In cases where an appeal may be had from a district court to this court the same may be allowed, in term time or in vacation, by any judge of the district court, including a circuit judge assigned thereto, or by a justice of this court. In cases where an appeal may be had from a circuit court of appeals to this court the same may be allowed, in term time or in vacation by any judge of the circuit court of appeals or by a justice of this court. In cases where an appeal may be had from a state court of last resort to this court the same may be allowed in term time or in vacation by the chief justice or presiding judge of the state court or by a justice of this court. The judge or justice allowing the appeal shall take the proper security for costs and sign the requisite citation and he may also, on taking the requisite security therefor, grant a supersedeas and stay of execution or of other proceedings under the judgment or decree, pending such appeal. See Rev. Stat., secs. 1000 and 1007, paragraph 1 of Rule 10, paragraph 2 of Rule 36, and Equity Rule 74, 226 U. S. Appendix p. 22. For stay pending application for review on writ of certiorari see Rule 38, paragraph 6.

2. Supersedeas bonds must be taken, with good and sufficient security, that the appellant shall prosecute his appeal to effect, and answer all damages and costs if he fail to make his plea good. Such indemnity, where the judgment or decree is for the recovery of money not otherwise secured, must be for the whole amount of the judgment or decree, including just damages for delay, and costs and interest on the appeal; but in all suits where the property in controversy necessarily follows the event of the suit, as in real actions, replevin, and suits on mortgages, or where the property is in the custody of the marshal under admiralty process, as in case of capture or seizure, or where the proceeds thereof, or a bond for the value thereof, is in the custody or control of the court, indemnity is only required in an amount sufficient to secure the sum recovered for the use and detention of the property, and the costs of the suit, and just damages for delay, and costs and interest on the appeal.

RULE 37

Questions Certified by a Circuit Court of Appeals or the Court of Appeals of the District of Columbia

(See Sec. 239 of the Judicial Code as amended by the Act of February 13, 1925.)

1. Where a circuit court of appeals or the Court of Appeals of the District of Columbia shall certify to this court a question or proposition of law, concerning which it desires instruction for the proper decision of a cause, the certificate shall contain a statement of the nature of the cause and of the facts on

which such question or proposition of law arises. Questions of fact cannot be so certified. Only questions or propositions of law may be certified, and they must be distinct and definite.

2. If in such a cause it appears that there is special reason therefor, this court may on application, or on its own motion, require that the entire record be sent up so that it may consider and decide the whole matter in controversy as upon appeal.

3. Where application is made for direction that the entire record be sent up, the application must be accompanied by a certified copy thereof.

RULE 38

Review on Writ of Certiorari of Decisions of State Courts, Circuit Courts of Appeals and the Court of Appeals of the District of Columbia

(See secs. 237(b) and 240(a) of the Judicial Code as amended by the Act of February 13, 1925.)

1. A petition for review on writ of certiorari of a decision of a state court of last resort, a circuit court of appeals, or the Court of Appeals of the District of Columbia, shall be accompanied by a certified transcript of the record in the case, including the proceedings in the court to which the writ is asked to be directed. For printing record see paragraph 7 of this rule.

2. The petition shall contain only a summary and short statement of the matter involved and the reasons relied on for the allowance of the writ. A supporting brief may be included in the petition, but, whether so included or presented separately, it must be direct, concise and in conformity with Rules 26 and 27. A failure to comply with these requirements will be a sufficient reason for denying the petition. See United States vs. Rimer, 220 U. S. 547; Furness, Withy & Co. vs. Yang Tsze Insurance Assn., 242 U. S. 430; Houston Oil Co. vs. Goodrich, 245 U. S. 440; Layne & Bowler Corporation vs. Western Well Works, 261 U. S. 387, 392; Magnum Import Co. vs. Coty, 262 U. S. 159, 163; Southern Power Co. vs. North Carolina Public Service Co., 263 U. S. 508. Forty printed copies of the petition and supporting brief shall be filed. The petition will be deemed in time when it, the record, and the supporting brief, are filed with the clerk within the period prescribed by section 8 of the Act of February 13, 1925.

3. Notice of the filing of the petition, together with a copy of the petition, printed record and supporting brief, shall be served by the petitioner on counsel for the respondent within ten days after the filing, and due proof of service shall be filed with the Clerk. If the United States, or any of its officers, is respondent and has been represented in the court below by the Attorney General of the United States or any of his subordinates, the service of the petition, record and brief shall be made on the Solicitor General at Washington, D. C. Counsel for the respondent shall have twenty days, and where he resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colardo, Wyoming, Montana, or an outlying possession, shall have twenty-five days, after notice, within which to file forty printed copies of an opposing brief, confroming to Rules 26 and 27.

(a) If the date for filing a brief in opposition falls in the summer recess, the brief may be filed within forty days after the service of the notice, but this enlargment shall not extend the time to a later date than September 10th.

4. Upon the expiration of the period for filing the respondent's brief, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, record and briefs shall be distributed by the clerk to the court for its consideration.

5. A review on writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered:

(a) Where a state court has decided a federal question of substance not theretofore determined by this court, or has decided it in a way probably not in accord with applicable decisions of this court.

(b) Where a circuit court of appeals has rendered a decision in conflict with the decision of another circuit court of appeals on the same matter; or has decided an important question of local law in a way probably in conflict with applicable local decisions; or has decided an important question of general law in a way probably untenable or in conflict with the weight of authority; or has decided an important question of federal law which has not been, but should be, settled by this court; or has decided a federal question in a way probably in conflict with applicable decisions of this court; or has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this court's power of supervision.

(c) Where the Court of Appeals of the District of Columbia has decided a question of general importance, or a question of substance relating to the construction or application of the Constitution, or a treaty or statute, of the United States, which has not been, but should be, settled by this court; or where that court has not given proper effect to an applicable decision of this court.

6. Section 8 (d) of the Act of February 13, 1925, prescribes the mode of obtaining a stay of the execution and enforcement of a judgment or decree pending an application for review on writ of certiorari. The stay may be granted by a judge of the court rendering the judgment or decree, or by a justice of this court, and may be conditioned on the giving of security as in that section provided. See Rule 36.

7. The record must be printed conformably to Rule 26, with a suitable index, and thirty copies filed with the clerk. But where the record has been printed for the use of the court below and the necessary copies as so printed are furnished, it shall not be necessary to reprint it for this court, but only to print such additions as may be necessary to show the proceedings in that court and the opinions there. When the petition is presented it will suffice to furnish ten copies of the record as printed below together with the proceedings and opinion in that court; but if the petition is granted the requisite additonal printed copies must be promptly supplied, by further printing if necessary.

RULE 39

Certiorari to a Circuit Court of Appeals or the Court of Appeals of the District of Columbia Before Judgment

(See sec. 240(a) of the Judicial Code as amended by the Act of February 13, 1925.)

Proceedings to bring up to this court on writ of certiorari a case pending in a circuit court of appeals or the Court of Appeals of the District of Columbia, before judgment is given in such court, should conform, as near as may be, to the provisions of Rule 38; and similar reasons for granting or refusing the application will be applied. That the public interest will be promoted by prompt settlement in this court of the questions involved may constitute a sufficient reason.

RULE 40

Questions Certified by the Court of Claims

(See sec. 3(a) of the Act of February 13, 1925.)

Where the Court of Claims shall certify to this court a question of law, concerning which instructions are desired for the proper disposition of a case, the certificate shall contain a statement of the case and of the facts on which such question arises. Questions of fact cannot be certified. The certification must be confined to definite and distinct questions of law.

RULE 41

Judgments of the Court of Claims—Petitions for Review on Certiorari

(See sec. 3(b) of the Act of February 13, 1925.)

1. In any case in the Court of Claims where both parties request in writing, at the time the case is submitted, that the facts be specially found, it shall be the duty of that court to make and enter special findings of fact as part of its judgment.

2. In any case in that court where special findings of fact are not so requested at the time the case is submitted, a party aggrieved by the judgment may, not later than twenty days after its rendition, request the court in writing to find the facts specially; and thereupon it shall be the duty of the court to make special findings of fact in the case and, by an appropriate order, to make them a part of its judgment. The judgment shall be regarded as remaining under the court's control for this purpose.

3. The special findings required by the two preceding paragraphs shall be in the nature of a special verdict, and shall set forth the ultimate facts found from the evidence, but not the evidence from which they are found.

4. A petition to this court for a writ of certiorari to review a judgment of the Court of Claims shall be accompanied by a certified transcript of the record in that court, consisting of the pleadings, findings of fact, judgment and opinion of the court, but not the evidence. The petition shall contain only a summary and short statement of the matter involved and the reasons relied on for the allowance of the writ, but may be accompanied by a brief to conform to Rules 26 and 27 as to form. The petition, brief and record shall be filed with the clerk and forty copies shall be printed under his supervision. The record shall be printed in the same way and upon the same terms that records on appeal are required to be printed. The estimated costs of printing shall be paid within five days after the estimate is furnished by the clerk and if payment is not so made the petition may be summarily dismissed. When the petition, brief and record are printed the petitioner shall forthwith serve copies thereof on the respondent, or his counsel of record, and shall file with the clerk due proof thereof.

5. Within twenty days after the petition, brief and record are served the respondent may file with the clerk forty printed copies of an opposing brief, conforming to Rules 26 and 27. Upon the expiration of that period, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, briefs and record, shall be distributed by the clerk to the court for its consideration.

The provision of subdivision (a) of paragraph 3 of Rule 38 shall apply to briefs in opposition to petitions for writs of certiorari to review judgments of the Court of Claims.

6. The same general considerations will control in respect of petitions for writs of certiorari to review judgments of the Court of Claims as are applied to applications for such writs to other courts. See paragraph 5 of Rule 38.

RULE 42

Judgments of Court of Customs and Patent Appeals or of Supreme Court of Philippine Islands—Petitions for Review on Certiorari

(See sec. 195 Judicial Code, as amended or sec. 7 of the Act of February 13, 1925.)

Proceedings to bring up to this court on writ of certiorari a case from the Court of Customs and Patent Appeals or from the Supreme Court of the Philippines should conform, as near as may be, to the provisions of Rule 38. The same general considerations which control when such writs to other courts are sought will be applied to them.

RULE 43

Order Granting Certiorari

Whenever application for a writ of certiorari to review a decision of any court is granted, the clerk shall enter an order to that effect, and shall forthwith mail notice of the granting of the application to the court below and to counsel of record. The order shall direct that the certified transcript of record on file here be treated as though sent up in response to a formal writ. A formal writ shall not issue unless specially directed.

RULE 44

Rules, Costs, Fees, Etc., on Certiorari

Where not otherwise specially provided, the rules relating to appeals, including those relating to costs, fees and interest, shall apply, as far as may be, to petitions for, and causes heard on, certiorari.

RULE 45

Custody of Prisoners Pending a Review of Proceedings in Habeas Corpus

(See Rev. Stat. sec. 765 and Act of Feb. 13, 1925, sec. 6.)

1. Pending review of a decision refusing a writ of habeas corpus, the custody of the prisoner shall not be disturbed.

2. Pending review of a decision discharging a writ of habeas corpus after it has been issued, the prisoner may be remanded to the custody from which he was taken by the writ, or detained in other appropriate custody, or enlarged upon recognizance with surety, as to the court or judge rendering the decision may appear fitting in the curcumstances of the particular case.

3. Pending review of a decision discharging a prisoner on habeas corpus, he shall be enlarged upon recognizance, with surety, for his appearance to answer and abide by the judgment in the appellate proceeding; and if in the opinion of the court or judge rendering the decision surety ought not to be required the personal recognizance of the prisoner shall suffice.

4. The initial order respecting the custody or enlargement of the prisoner pending review, as also any recognizance taken, shall be deemed to cover not only the review in the intermediate appellate court but also the fur-

ther possible review in this court; and only where special reasons therefor are shown to this court will it disturb that order, or make any independent order in that regard.

RULE 46

Review on Appeal

1. Appeals to this Court from decrees in suits in equity in the district courts and in the circuit courts of appeals are not affected by the act of January 31, 1928, or the amendatory act of April 26, 1928, both of which are copied in the appendix hereto. Such appeals, where admissible, must be sought, allowed and perfected as provided in other statutes and in the equity rules. See 226 U. S. appendix. The act of February 13, 1925, copied in the appendix hereto, shows when an appeal is admissible and when the mode of review is limited to certiorari.

2. Under the act of January 31, 1928, as amended by the act of April 26, 1928, the review which theretofore could be had in this court on writ of error may now be obtained on an appeal. But the appeal thereby substituted for a writ of error must be sought, allowed and perfected in conformity with the statutes theretofore providing for a writ of error. The appeal can be allowed only on the presentation of a petition showing that the case is one in which, under the legislation in force when the act of January 31, 1928, was passed, a review could be had in this court on writ of error. The petition must be accompanied by an assignment of errors (see Rule 9), and statement as to jurisdiction (see Rule 12), and the judge or justice allowing the appeal must take proper security for costs and sign the requisite citation to the appellee. See paragraph 1 of Rule 10 and paragraph 1 of Rule 36. The citation must be served on the appellee or his counsel and filed, with proof of service, with the clerk of the court in which the judgment to be reviewed was entered. The mode of obtaining a supersedeas is pointed out in paragraph 2 of Rule 36.

RULE 47

No Session on Saturday

The court will not hear arguments or hold open sessions on Saturday.

RULE 48

Adjournment of Term

The court will at every term announce, at least three weeks in advance, the day on which it will adjourn, and will not take up any case for argument, or receive any case upon briefs or upon petition for certiorari, within two weeks before the adjournment, unless otherwise ordered for special cause shown.

RULE 49

Abrogation of Prior Rules

These rules shall become effective July 1, 1928, and be printed as an appendix to 275 U. S. The rules promulgated June 8, 1925, appearing in 266 U. S., Appendix, and all amendments thereof are rescinded, but this shall not affect any proper action taken under them before these rules become effective.

APPENDIX TO RULES OF THE SUPREME COURT OF THE UNITED STATES

Act of February 13, 1925.
Chapter 229, 43 Stat. 936.
Effective May 13, 1925.

An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 128, 129, 237, 238, 239, and 240 of the Judicial Code as now existing be, and they are severally, amended and reenacted to read as follows:

Sec. 128. (a) The circuit courts of appeals shall have appellate jurisdiction to review by appeal or writ of error final decisions—

"First. In the district courts, in all cases save where a direct review of the decision may be had in the Supreme Court under section 238.

"Second. In the United States district courts for Hawaii and for Porto Rico in all cases.

"Third. In the district courts for Alaska or any division thereof, and for the Virgin Islands, in all cases, civil and criminal, wherein the Constitution or a statute or treaty of the United States or any authority exercised thereunder is involved; in all other civil cases wherein the value in controversy, exclusive of interest and costs, exceeds $1,000; in all other criminal cases where the offense charged is punishable by imprisonment for a term exceeding one year or by death, and in all habeas corpus proceedings; and in the district court for the Canal Zone in the cases and mode prescribed in the Act approved September 21, 1922, amending prior laws relating to the Canal Zone.

"Fourth. In the Supreme Courts of the Territory of Hawaii and of Porto Rico, in all cases, civil or criminal, wherein the Constitution or a statute or treaty of the United States or any authority exercised thereunder is involved; in all other civil cases wherein the value in controversy, exclusive of interest and costs, exceeds $5,000, and in all habeas corpus proceedings.

"Fifth. In the United States Court for China, in all cases.

"(b) The circuit courts of appeals shall also have appellate jurisdiction—

[1]First. To review the interlocutory orders or decrees of the district courts, including the District Courts of Alaska, Hawaii, Virgin Islands and Canal Zone, which are specified in section 129.

[2]Second. To review decisions of the district courts, under section 9 of the Railway Labor Act.

"(c) The circuit courts of appeals shall also have an appellate and supervisory jurisdiction under sections 24 and 25 of the Bankruptcy Act of July 1, 1898, over all proceedings, controversies, and cases had or brought in the district courts under that Act or any of its amendments, and shall exercise the same in the manner prescribed in those sections; and the jurisdiction of the Circuit Court of Appeals for the Ninth Circuit in this regard shall cover the courts of bankruptcy in Alaska and Hawaii, and that of the Circuit Court of Appeals for the First Circuit shall cover the court of bankruptcy in Porto Rico.

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[1] As amended by sec. 1, Act of April 11, 1928, Chapter 354, 45 Stat. 422.

[2] As amended by sec. 13(a), Act of May 20, 1926, Chapter 347, 44 Stat. 587.

"(d) The review under this section shall be in the following circuit courts of appeals: The decisions of a district court of the United States within a State in the circuit court of appeals for the circuit embracing such State; those of the District Court of Alaska or any division thereof, the United States district court, and the Supreme Court of Hawaii, and the United States Court for China, in the Circuit Court of Appeals for the Ninth Circuit; those of the United States district court and the Supreme Court of Porto Rico in the Circuit Court of Appeals for the First Circuit; those of the District Court of the Virgin Islands in the Circuit Court of Appeals for the Third Circuit; and those of the District Court of the Canal Zone in the Circuit Court of Appeals for the Fifth Circuit.

"(e) The circuit courts of appeals are further empowered to enforce, set aside, or modify orders of the Federal Trade Commission, as provided in section 5 of 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914; and orders of the Interstate Commerce Commission, the Federal Reserve Board, and the Federal Trade Commission, as provided in Section 11 of 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914.

"Sec. 129. Where, upon a hearing in a district court, or by a judge thereof in vacation, an injunction is granted, continued, modified, refused, or dissolved by an interlocutory order or decree, or an application to dissolve or modify an injunction is refused, or an interlocutory order or decree is made appointing a receiver, or refusing an order to wind up a pending receivership or to take the appropriate steps to accomplish the purposes thereof, such as directing a sale or other disposal of property held thereunder, an appeal may be taken from such interlocutory order or decree to the circuit court of appeals; and sections 239 and 240 shall apply to such cases in the circuit courts of appeals as to other cases therein: Provided, That the appeal to the circuit court of appeals must be applied for within thirty days from the entry of such order or decree, and shall take precedence in the appellate court; and the proceedings in other respects in the district court shall not be stayed during the pendency of such appeal unless otherwise ordered by the court, or the appellate court, or a judge thereof: Provided, however, That the district court may, in its discretion, require an additional bond as a condition of the appeal."

[3](a) In all cases where an appeal from a final decree in admiralty to the circuit court of appeals is allowed an appeal may also be taken to said court from an interlocutory decree in admiralty determining the rights and liabilities of the parties: Provided, That the same is taken within fifteen days after the entry of the decree: And provided further, That within twenty days after such entry the appellant shall give notice of the appeal to the appellee or appellees; but the taking of such appeal shall not stay proceedings under the interlocutory decree unless otherwise ordered by the district court upon such terms as shall seem just.

[4](b) That when in any suit in equity for the infringement of letters patent for inventions, a decree is rendered which is final except for the ordering of an accounting, an appeal may be taken from such decree to the circuit court of appeals: Provided, That such appeal be taken within thirty days from the entry of such decree or from the date of this act; and the proceedings upon the accounting in the court below shall not be stayed unless so ordered by that court during the pendency of such appeal.

Sec. 237. (a) A final judgment or decree in any suit in the highest court of a State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of the United States, and the decision is against its validity; or where is drawn in question the validity of a statute of any State, on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of its validity, may be reviewed by the Supreme Court upon a writ of error. The writ shall have the same effect as if the judgment or decree had been rendered or passed in a court of the United States. The Supreme Court may reverse, modify, or affirm the judgment or decree of such State court, and may, in its discretion, award execution or remand the cause to the court from which it was removed by the writ.

"(b) It shall be competent for the Supreme Court, by certiorari, to require that there be certified to it for review and determination, with the same power and authority and with life effect as if brought up by writ of error, any cause wherein a final judgment or decree has been rendered or passed by the highest court of a State in which a decision could be had where is drawn in question the validity of a treaty or statute of the United States; or where is drawn in question the validity of a statute of any State on the ground of its being repugnant to the Constitution, treaties, or laws of the United States; or where any title, right, privilege, or immunity is specially set up or claimed by either party under the Constitution, or any treaty or statute of, or commission held or authority exercised under, the United States; and the power to review under this paragraph may be exercised as well where the Federal claim is sustained as where it is denied. Nothing in this paragraph shall be construed to limit or detract from the right to a review on a writ of error in a case where such a right is conferred by the preceding paragraph; nor shall the fact that a review on a writ of error might be obtained under the preceding paragraph be an obstacle to granting a review on certiorari under this paragraph.

"(c) If a writ of error be improvidently sought and allowed under this section in a case where the proper mode of invoking a review is by a petition for certiorari, this alone shall not be a ground for dismissal; but the papers whereon the writ of error was allowed shall be regarded and acted on as a petition for certiorari and as if duly presented to the Supreme Court at the time they were presented to the court or judge by whom the writ of error was allowed: Provided, That where in such a case there appears to be no reasonable ground for granting a petition for certiorari it shall be competent for the Supreme Court to adjudge to the respondent reasonable damages for his delay, and single or double costs, as provided in section 1010 of the Revised Statutes."

"Sec. 238. A direct review by the Supreme Court of an interlocutory or final judgment or decree of a district court may be had where it is so provided in the following Acts or parts of Acts, and not otherwise:

"(1) Section 2 of the Act of February 11, 1903, 'to expedite the hearing and determination' of certain suits brought by the United States under the antitrust or interstate commerce laws, and so forth.

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[3] Act of April 3, 1926, Chapter 102, 44 Stat. 233.

[4] Act. of February 28, 1927, Chapter 228, 44 Stat. 1261.

"(2) The Act of March 2, 1907, 'providing for writs of error in certain instances in criminal cases' where the decision of the district court is adverse to the United States.

"(3) An Act restricting the issuance of interlocutory injunctions to suspend the enforcement of the statute of a State or of an order made by an administrative board or commission created by and acting under the statute of a State, approved March 4, 1913, which Act is hereby amended by adding at the end thereof, 'The requirement respecting the presence of three judges shall also apply to the final hearing in such suit in the district court; and a direct appeal to the Supreme Court may be taken from a final decree granting or denying a permanent injunction in such suit.'

"(4) So much of 'An Act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes,' approved October 22, 1913, as relates to the review of interlocutory and final judgments and decrees in suits to enforce, suspend, or set aside orders of the Interstate Commerce Commission other than for the payment of money.

"(5) Section 316 of 'An Act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes' approved August 15, 1921."

"Sec. 239. In any case, civil or criminal, in a circuit court of appeals, or in the Court of Appeals of the District of Columbia, the court at any time may certify to the Supreme Court of the United States any questions or propositions of law concerning which instructions are desired for the proper decision of the cause; and thereupon the Supreme Court may either give binding instructions on the questions and propositions certified or may require that the entire record in the cause be sent up for its consideration, and thereupon shall decide the whole matter in controversy in the same manner as if it had been brought there by writ of error or appeal."

Sec. 240. (a) In any case, civil or criminal, in a circuit court of appeals, or in the Court of Appeals of the District of Columbia, it shall be competent for the Supreme Court of the United States, upon the petition of any party thereto, whether Government or other litigant, to require by certiorari, either before or after a judgment or decree by such lower court, that the cause be certified to the Supreme Court for determination by it with the same power and authority, and with like effect, as if the cause had been brought there by unrestricted writ of error or appeal.

"(b) Any case in a circuit court of appeals where is drawn in question the validity of a statute of any State, on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is against its validity, may, at the election of the party relying on such State statute, be taken to the Supreme Court for review on writ of error or appeal; but in that event a review on certiorari shall not be allowed at the instance of such party, and the review on such writ of error or appeal shall be restricted to an examination and decision of the Federal questions presented in the case.

"(c) No judgment or decree of a circuit court of appeals or of the Court of Appeals of the District of Columbia shall be subject to review by the Supreme Court otherwise than as provided in this section."

[5]Sec. 2. That cases in a circuit court of appeals under section 9 of the Railway Labor Act; under section 5 of "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914; and under section 11 of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, are included among the cases to which sections 239 and 240 of the Judicial Code shall apply.

Sec. 3. (a) That in any case in the Court of Claims, including those begun under section 180 of the Judicial Code, that court at any time may certify to the Supreme Court any definite and distinct questions of law concerning which instructions are desired for the proper disposition of the cause; and thereupon the Supreme Court may give appropriate instructions on the questions certified and transmit the same to the Court of Claims for its guidance in the further progress of the cause.

(b) In any case in the Court of Claims, including those begun under section 180 of the Judicial Code, it shall be competent for the Supreme Court, upon the petition of either party, whether Government or claimant, to require, by certiorari, that the cause, including the findings of fact and the judgment or decree, by omitting the evidence, be certified to it for review and determination with the same power and authority, and with like effect, as if the cause had been brought there by appeal.

(c) All judgments and decrees of the Court of Claims shall be subject to review by the Supreme Court as provided in this section, and not otherwise.

Sec. 4. That in cases in the district courts wherein they exercise concurrent jurisdiction with the Court of Claims or adjudicate claims against the United States the judgments shall be subject to review in the circuit courts of appeals like other judgments of the district courts; and sections 239 and 240 the Judicial Code shall apply to such cases in the circuit courts of appeals as to other cases therein.

Sec. 5. That the Court of Appeals of the District of Columbia shall have the same appellate and supervisory jurisdiction over proceedings, controversies, and cases in bankruptcy in the District of Columbia that a circuit court of appeals has over such proceedings, controversies, and cases within its circuit, and shall exercise that jurisdiction in the same manner as a circuit court of appeals is required to exercise it.

Sec. 6. (a) In a proceeding in habeas corpus in a district court, or before a district judge or a circuit judge, the final order shall be subject to review, on appeal, by the circuit court of appeals of the circuit wherein the proceeding is had. A circuit judge shall have the same power to grant writs of habeas corpus within his circuit that a district judge has within his district; and the order of the circuit judge shall be entered in the records of the district court of the district wherein the restraint complained of is had.

(b) In such a proceeding in the Supreme Court of the District of Columbia, or before a justice thereof, the final order shall be subject to review, on appeal, by the Court of Appeals of that District.

(c) Sections 239 and 240 of the Judicial Code shall apply to habeas corpus cases in the circuit courts of appeals and in the Court of Appeals of the District of Columbia as to other cases therein.

(d) The provisions of sections 765 and 766 of the Revised Statutes, and the provisions of an Act entitled "An Act restricting in certain cases the right of appeal to the Supreme Court in habeas corpus proceedings," approved March 10, 1908, shall apply to appellate proceedings under this section as they heretofore have applied to direct appeals to the Supreme Court.

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[5] As amended by sec. 13(b) of Act of May 20, 1926, Chapter 347, 44 Stat. 587.

Sec. 7. That in any case in the Supreme Court of the Philippine Islands wherein the Constitution, or any statute or treaty of the United States is involved, or wherein the value in controversy exceeds $25,000, or wherein the title or possession of real estate exceeding in value the sum of $25,000 is involved or brought in question, it shall be competent for the Supreme Court of the United States, upon the petition of a party aggrieved by the final judgment or decree, to require, by certiorari, that the cause be certified to it for review and determination with the same power and authority, and with like effect, as if the cause had been brought before it on writ of error or appeal; and, except as provided in this section, the judgments and decrees of the Supreme Court of the Philippine Islands shall not be subject to appellate review.

Sec. 8 (a) That no writ of error, appeal, or writ of certiorari, intended to bring any judgment or decree before the Supreme Court for review shall be allowed or entertained unless application therefor be duly made within three months after the entry of such judgment or decree, excepting that writs of certiorari to the Supreme Court of the Philippine Islands may be granted where application therefor is made within six months: Provided, That for good cause shown either of such periods for applying for a writ of certiorari may be extended not exceeding sixty days by a justice of the Supreme Court.

(b) Where an application for a writ of certiorari is made with the purpose of securing a removal of the case to the Supreme Court from a circuit court of appeals or the Court of Appeals of the District of Columbia before the court wherein the same is pending has given a judgment or decree the application may be made at any time prior to the hearing and submission in that court.

(c) No writ of error or appeal intended to bring any judgment or decree before a circuit court of appeals for review shall be allowed unless application therefor be duly made within three months after the entry of such judgment or decree.

(d) In any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and enforcement of such judgment or decree may be stayed for a reasonable time to enable the party aggrieved to apply for and to obtain a writ of certiorari from the Supreme Court. The stay may be granted by a judge of the court rendering the judgment or decree or by a justice of the Supreme Court, and may be conditioned on the giving of good and sufficient security, to be approved by such judge or justice, that if the aggrieved party fails to make application for such writ within the period allotted therefor, or fails to obtain an order granting his application, or fails to make his plea good in the Supreme Court, he shall answer for all damages and costs which the other party may sustain by reason of the stay.

Sec. 9. That in any case where the power to review, whether in the circuit courts of appeals or in the Supreme Court, depends upon the amount or value in controversy, such amount or value, if not otherwise satisfactorily disclosed upon the record, may be shown and ascertained by the oath of a party to the cause or by other competent evidence.

Sec. 10. That no court having power to review a judgment or decree of another shall dismiss a writ of error solely because an appeal should have been taken, or dismiss an appeal solely because a writ of error should have been sued out; but where such error occurs the same shall be disregarded and the court shall proceed as if in that regard its power to review were properly invoked.

Sec. 11. (a) That where, during the pendency of an action, suit, or other proceeding brought by or against an officer of the United States, or of the District of Columbia, or the Canal Zone, or of a Territory or an insular possession of the United States, or of a county, city, or other governmental agency of such Territory or insular possession, and relating to the present or future discharge of his official duties, such officer dies, resigns, or otherwise ceases to hold such office, it shall be competent for the court wherein the action, suit, or proceeding is pending, whether the court be one of first instance or an appellate tribunal, to permit the cause to be continued and maintained by or against the successor in office of such officer, if within six months after his death or separation from the office it be satisfactorily shown to the court that there is a substantial need for so continuing and maintaining the cause and obtaining an adjudication of the questions involved.

(b) Similar proceedings may be had and taken where an action, suit, or proceeding brought by or against an officer of a State, or of a county, city, or other governmental agency of a State, is pending in a court of the United States at the time of the officer's death or separation from the office.

(c) Before a substitution under this section is made, the party or officer to be affected, unless expressly consenting thereto, must be given reasonable notice of the application therefor and accorded an opportunity to present any objection which he may have.

Sec. 12. That no district court shall have jurisdiction of any action or suit by or against any corporation upon the ground that it was incorporated by or under an Act of Congress: Provided, That this section shall not apply to any suit, action, or proceeding brought by or against a corporation incorporated by or under an Act of Congress wherein the Government of the United States is the owner of more than one-half of its capital stock.

Sec. 13. That the following statutes and parts of statutes be, and they are, repealed:

Sections 130, 131, 133, 134, 181, 182, 236, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, and 252 of the Judicial Code.

Sections 2, 4, and 5 of "An Act to amend an Act entitled 'An Act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911," approved January 28, 1915.

Sections 2, 3, 4, 5, and 6 of "An Act to amend the Judicial Code, to fix the time when the annual term of the Supreme Court shall commence, and further to define the jurisdiction of that court," approved September 6, 1916.

Section 27 of "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," approved August 29, 1916.

So much of sections 4, 9, and 10 of "An Act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, as provides for a review by the Supreme Court on writ of error or appeal in the cases therein named.

So much of "An Act restricting in certain cases the right of appeal to the Supreme Court in habeas corpus proceedings," approved March 10, 1908, as permits a direct appeal to the Supreme Court.

So much of sections 24 and 25 of the Bankruptcy Act of July 1, 1898, as regulates the mode of review by the Supreme Court in the proceedings, controversies, and cases therein named.

So much of "An Act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, as permits a direct review by the Supreme Court of cases in the courts in Porto Rico.

So much of the Hawaiian Organic Act, as amended by the Act of July 9, 1921, as permits a direct review by the Supreme Court of cases in the courts in Hawaii.

So much of section 9 of the Act of August 24, 1912, relating to the government of the Canal Zone as designates the cases in which, and the court by which, the judgments and decrees of the district court of the Canal Zone may be reviewed.

Sections 763 and 764 of the Revised Statutes.

An Act entitled "An Act amending section 764 of the Revised Statutes," approved March 3, 1885.

An Act entitled "An Act to prevent the abatement of certain actions," approved February 8, 1899.

An Act entitled "An Act to amend section 237 of the Judicial Code," approved February 17, 1922.

An Act entitled "An Act to amend the Judicial Code in reference to appeals and writs of error," approved September 14, 1922.

All other Acts and parts of Acts in so far as they are embraced within and superseded by this Act or are inconsistent therewith.

Sec. 14. That this Act shall take effect three months after its approval; but it shall not affect cases then pending in the Supreme Court, nor shall it affect the right to a review, or the mode or time for exercising the same, as respects any judgment or decree entered prior to the date when it takes effect.

Approved, February 13, 1925.

Act of January 31, 1928

Chapter 14, 45 Stat. 54

An Act in reference to writs of error

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the writ of error in cases, civil and criminal, is abolished. All relief which heretofore could be obtained by writ of error shall hereafter be obtainable by appeal.

Sec. 2. That in all cases where an appeal may be taken as of right it shall be taken by serving upon the adverse party or his attorney of record, and by filing in the office of the clerk with whom the order appealed from is entered, a written notice to the effect that the appellant appeals from the judgment or order or from a specified part thereof. No petition of appeal or allowance of an appeal shall be required: Provided, however, That the review of judgments of State courts of last resort shall be petitioned for and allowed in the same form as now provided by law for writs of error to such courts.

Act of April 26, 1928

Chapter 440, 45 Stat. 466

An Act to amend section 2 of an Act entitled "An Act in reference to writs of error," approved January 31, 1928, Public, Numbered 10, Seventieth Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of an Act entitled "An Act in reference to writs of error," approved January 31, 1928, Public, Numbered 10, Seventieth Congress, be, and it is hereby, amended to read as follows:

"Sec. 2. The statutes regulating the right to a writ of error, defining the relief which may be had thereon, and prescribing the mode of exercising that right and of invoking such relief, including the provisions relating to costs, supersedeas, and mandate, shall be applicable to the appeal which the preceding section substitutes for a writ of error."

AMENDMENTS TO RULES OF THE SUPREME COURT OF THE UNITED STATES

By order of May 31, 1932, Rules 2, 7, 10, 12, 13, 38, 41 and 46 of the Rules of this Court have been amended, effective September 1, 1932. Printed copies of the complete, revised rules of this Court, including these amendments, may be had free of charge upon application to the clerk of this Court. Those engaged in cases in the state or lower federal courts in which ultimate review by this Court may be sought in particular are urged promptly to acquaint themselves with the amendments, for the changes in the practice are not confined to action to be taken after cases have been docketed in this Court, but extend to the practice to be followed in the state or lower federal court on application for the allowance of appeal to this Court.

Attention is especially directed to the following matters:

Appeals—Statements as to Jurisdiction, Motions to Dismiss or Affirm, Statements of Points and Designation of Record, Printing

Rule 12 has heretofore required that on all appeals taken to this Court the appellant, after docketing the case in this Court, shall file a statement containing specified information bearing upon the jurisdiction of this Court on the appeal, and time has been allowed the appellee to file an opposing statement, after which the statements so filed were submitted to this Court for its consideration and decision,—resulting in the entry of an order by this Court either (a) noting probable jurisdiction, (b) postponing further consideration of the jurisdiction to the argument on the merits (in either of which events the case stood for oral argument), or (c) disposing of the appeal per curiam without oral argument. Under Rule 12, as now amended, the applicant for appeal must present, in typewritten form, to the judge or justice to whom application is made for allowance of appeal, a similar statement of the grounds of jurisdiction, in addition to the familiar appeal papers long required by rule and statute (petition for appeal, assignment of errors, citation, bond). If the appeal is allowed this statement, together with opposing papers permitted to be filed by appellee (Rule 12, paragraph 3) are certified to this Court as part of the transcript of record, and, upon the docketing of the case in this Court, such papers are printed by the clerk and distributed to this Court for consideration and ruling.

A purpose of this change is to enable the judge or justice to whom application for allowance of an appeal is made readily to determine whether the case is within one of the classes in which the statutes permit the allowance of an appeal. The amended practice also speeds materially consideration by this Court of the question of its jurisdiction, after the appeal has been allowed.

The amendment of Rule 12, and related amendments substantially affect the duties of appellant, appellee and the clerk of the court from which appeal is taken. The more important changes may be thus summarized:

Appellant. The appellant must present his statement as to the jurisdiction of this Court on appeal at the time and in the manner provided in Rule 12, paragraph 1, and must see that its contents conform in all respects to the requirements of that rule and paragraph. If the appeal is allowed he must serve the appellee as required by Rule 12, paragraph 2. A suggested form for that service is attached to this notice. The statement and proof of service thereof must be filed with the clerk of the court possessed of the record, and is made a part of the transcript of record on the appeal.

Should the appellee file a motion to dismiss or affirm, as provided in Rule 12, paragraph 3, the appellant may file printed brief in opposition in this Court within the time allowed by Rule 7, paragraph 3.

The appellant must docket the case in this Court on or before the return day (Rule 11, paragraph 1), and, in addition to the deposit of $35 required upon docketing the case as security for clerk's costs and fees (Rule 13, paragraph 1), must at that time deposit with the clerk of this Court a sum sufficient to defray the cost of printing his statement as to jurisdiction. The sum required for this purpose may be estimated on the basis of $2 per printed page,—cover and index additional.

The time within which appellant shall file his statement of points to be relied upon and designation of parts of the record to be printed has been reduced; such papers must now be filed within five days after the case is docketed. The clerk will give appellant an estimate of clerk's fees and cost of printing the record after the designations of the parties have been filed, and the sum called for is required to be deposited by the appellant by a date fixed by the clerk in each case. (Rule 13, paragraph 2.) When this Court is in session it may have announced its action upon the statements as to jurisdiction and motions to dismiss or affirm, if any, before the printing of the record can be undertaken; but, during the summer recess of the Court, the appellant may be called upon to make deposit, and the record may be printed, prior to the announcement of the Court's action on the statements, for it will be necessary to have appeals available for argument early in the term should the Court, upon consideration of the statements and motions, permit the case to stand for oral argument.

Appellees. The attention of appellees is invited to the opportunity afforded them to file with the clerk of the court possessed of the record, promptly upon the allowance of the appeal, a statement of matters making against the jurisdiction of this Court on the appeal, and motions, addressed to this Court, praying for dismissal of the appeal or affirmance of the judgment or decree. (Rule 12, paragraph 3.) It is important that appellee avail himself of these privileges at the time and in the manner provided, for if he fails to do so no further opportunity is accorded him to object to the jurisdiction of this Court on appeal until after this Court has considered and ruled upon the statement submitted by appellant. See Rule 7, paragraph 3.

The appellee is required, upon demand after the docketing of the case in this Court, to make deposit to cover the cost of printing his statement in opposition to jurisdiction and motion to dismiss or affirm. (Rule 12, paragraph 5.)

Appellee's counter designation of the parts of the record to be printed is required to be filed with the clerk of this Court within 10 days after service of appellant's designation (Rule 13, paragraph 9).

Clerks of Court. The return day on appeals is now 40 instead of 30 days (60 days in some western States). (Rule 10, paragraph 1.) Where an appeal to this Court has been allowed, the clerk of the court in which the record is filed is required to prepare and certify to this Court a transcript of the record on appeal in accordance with the stipulation or praecipes of the parties, such transcript in all cases to include the papers filed with such clerk by authority of Rule 12. (See Rule 10, paragraph 2; Rule 12, paragraph 4.) It is suggested that clerks keep a record of the filing and service dates of the statement of appellant under Rule 12, paragraph 1, and of the opposing statement and motions, if any, filed by appellee; and that the transcript of record be not certified to this Court until the time for the filing of appellee's papers under Rule 12 has elapsed or the papers have been filed. While the papers filed under authority of Rule 12 must be certified as a part of the transcript of record, they need not be bound under the same cover or certified by the same certificate that covers the remainder of the transcript. Separate binding and certification of these papers by the clerk of the state or lower federal court in cases on appeal to this Court will not only permit the preparation and certification of the remainder of the transcript while the time for the filing of statement and motions by the appellee is still running (Rule 12, paragraph 3), but will facilitate the separate printing of the Rule 12 statements and motions by the clerk of this Court when the case is docketed here.

Formal Submission of Petitions, Statements and Certain Motions to This Court Abandoned

The practice of formal submission in open court on motion days as prerequisite to the consideration and decision by this Court of petitions for writs of certiorari, statements as to jurisdiction, and motions to dismiss or affirm is abandoned.

In cases on appeal the clerk of this Court will print the statements and motions, which have been filed as part of the transcript of record pursuant to Rule 12, promptly after the docketing of the case and the deposit of the necessary funds by the parties. When such printing is completed the jurisdictional statements, and motions, if any, are deemed to be before the Court for its consideration and decision, without formal submission. (Rule 12, paragraph 5.)

In cases on petition for writ of certiorari the petition and supporting and opposing briefs are deemed to be before the Court for consideration and decision as soon as the opposing briefs are filed or the time for their filing has expired. (Rule 38, paragraph 4; Rule 41, paragraph 5.)

Similarly, motions to dismiss or affirm, where authorized by Rule 7, are deemed to be before the Court for consideration and decision, without formal submission, as soon as the opposing briefs permitted by the rule are on file or the time for their filing has expired. (Rule 7, paragraph 3.)

Other Amendments

Amendments to the rules other than those herein discussed do not effect major changes in the practice; but examination of the applicable rule of this Court as it appears in the current revised edition is commended to everyone having occasion to take any action under the Rules of this Court.

United States Circuit Court of Appeals

FOR THE SIXTH CIRCUIT

As Amended Sept. 1, 1933

RULE 1

Definitions

In these rules "counsel" shall include attorneys, solicitors, proctors and advocates; "appellant" shall include, also, plaintiff in error, petitioner for review or mandamus, and any other party seeking review in this court; "appellee" shall include, also, defendant in error and any other party respondent in this court.

RULE 2

Name and Seal

1. The court adopts "United States Circuit Court of Appeals for the Sixth Circuit" as the title of the court.

2. The seal shall contain the words "United States" on the upper part of the outer edge, and the words "Circuit Court of Appeals" on the lower part of the outer edge, running from left to right, and the words "Sixth Circuit" in two lines in the center, with a dash beneath.

RULE 3

Terms

One term of this court shall be held annually on the Tuesday after the first Monday of October, and adjourned sessions on the Tuesday after the first Monday of each other month in the year, except August and September. At the July session, no causes will be heard, except upon the special order of the court.

All sessions shall be held at Cincinnati, unless otherwise specially ordered by the court.

Pending adjournment or during recess special sessions may be held at any time and at any place within the circuit, by agreement between all circuit judges then therein, or on the call of the circuit justice or the senior circuit judge, or of any two circuit judges, on notice to the circuit judge or judges within the circuit.

RULE 4

Quorum

If, at any term, a quorum does not attend on the day appointed for holding it, any judge who does attend may adjourn the court from time to time, or, in the absence of any judge, the clerk may adjourn the court from day to day. If, during a term, after a quorum has assembled, less than that number attend on any day, any judge attending may adjourn the court from time to time until there is a quorum, or may adjourn without day; or, in the absence of any judge, the clerk may adjourn the court for successive intervals of one week until a judge attends.

RULE 5

Clerk

1. The clerk's office shall be kept at Cincinnati.

2. The clerk shall not practice, either as attorney or counselor, in this court or in any other court.

3. He shall, before he enters on the execution of his office, take an oath in the form prescribed by Section 794 of the Revised Statutes, and shall give bond in a sum to be fixed, and with sureties to be approved by the court, faithfully to discharge the duties of his office and seasonable to record the decrees, judgments and determinations of the court. A copy of such bond shall be entered on the journal of the court, and the bond shall be deposited for safe keeping as the court may direct.

4. He shall not permit any original record or paper to be taken from the court-room or from his office, without an order from the court, or a judge thereof.

RULE 6

Marshal, Crier and Other Officers

1. The crier and bailiffs of the District Court of any district where this court may be in session, are hereby authorized to act also during such session as crier and bailiffs of this court.

2. A crier or bailiff especially appointed for this court shall, before he enters on his duties, take an oath in the form prescribe by Section 782 of the Revised Statutes.

3. The marshal and crier shall be in attendance during the sessions of the court, with the number of bailiffs and messengers which the court may from time to time order.

RULE 7

Attorneys and Counselors

An attorney and counselor admitted to practice and in good standing in the Supreme Court or in a District Court of the United States or in the court of last resort in the state of his residence, may become attorney, and counselor in this court on taking an oath or affirmation as prescribed by Rule 2 of the Supreme Court of the United States, and upon subscribing the roll, upon paying the clerk's fee of $1.00 and upon payment to the librarian of an additional sum of $9.00 as library dues, he shall be entitled to a special certificate of admission to practice and to full use of the library under its rules.

RULE 8

Practice and Process

1. The practice shall be the same as in the Supreme Court of the United States, as far as the same shall be applicable.

2. All process of this court shall be in the name of the President of the United States, and shall be in like form and tested in the same manner as process of the Supreme Court.

RULE 9

Service of Papers

1. Copies of all papers or proceedings filed by any party in any cause shall, at or before the time of filing, be served upon counsel representing each adverse interest and proof or acknowledgment of such service shall be endorsed upon each paper filed. The clerk may insist upon such proof as a prerequisite to filing, or may file and require the prompt furnishing of such proof, as he may in each case think proper.

2. Service may be personal or by mail. If personal, it shall consist of delivery at his office to counsel or to a clerk therein. If by mail, it shall consist in depositing the same in the post-office with postage paid, addressed to the counsel at his post-office address, which address shall include his street and number, unless the same are unknown. Each proof of service shall show a full compliance with this rule.

RULE 10

Bills of Exceptions

1. The assignments of error required by rule 11 shall be filed at or before the settling of the bill of exceptions. The evidence in a bill of exceptions shall not be set forth in full, but shall be stated in simple and condensed form, all parts not essential to the decision of some one of the questions presented by the assignments of error being omitted, and the testimony of witnesses being stated only in narrative form, save that, if either party desires it and the judge so directs, any part of the testimony shall be reproduced in the exact words of the witness.

2. No general exception to the whole of any charge to a jury on trials at law shall be allowed in any bill of exceptions. Exceptions to a charge, in order to be allowed in a bill of exceptions, must be taken before the jury retires and must state distinctly the several matters of law to which exception is taken. In cases where exception is taken to part of a charge, and such exception may be affected by other parts or by the charge as a whole, the entire charge shall be included in the bill of exceptions.

RULE 11

Assignments of Error

The appellant shall file with the clerk of the District Court at or before the time of filing his petition for the writ of error or appeal, an assignment of errors, which shall set out separately and particularly each error asserted and intended to be urged. No writ of error or appeal shall be allowed until such assignment of errors shall have been filed. When the error alleged is to the admission or to the rejection of evidence, the assignment of errors shall quote the full substance admitted or rejected. When the error alleged is to the charge of the court, the assignment of errors shall set out the part referred to totidem verbis, whether it be in instructions given or in instructions refused. When this is not done, counsel will not be heard, except at the request of the court, and errors not assigned according to this rule will be disregarded; but the court, at its option, may notice a plain error not assigned.

RULE 12

Objections to Evidence in the Record

In all cases of equity or admiralty jurisdiction heard in this court, no objection shall be allowed to be taken to the admissibility of any deposition, deed, grant, exhibit or translation found in the record as evidence, unless the record shows that objection was taken thereto in the court below and brought to the attention of the trial judge on the submission of the cause; but the same shall otherwise be deemed to have been admitted by consent.

RULE 13

Allowance of Writ of Error or Appeal

1. An appeal from or writ of error to a District Court in the cases provided for in Sections 128, 129 and 130 of the Judicial Code approved March 3rd, 1911, may be allowed in term time or in vacation by the Circuit Justice, wherever acting, or by any Circuit Judge acting within the circuit, or by any District Judge acting within the disstrict where the case was heard and authorized to hold court in that district; and the proper security may be taken and the citation be signed by him and he may also grant a supersedeas and stay of execution or of proceedings pending such writ of error or appeal.

2. Where such writ of error is duly allowed in a criminal case, the District Court in which the conviction occurred, or this court, or any judge of either court, shall have power after the citation is served, to admit the accused to bail in such amount as may be fixed.

3. An appeal shall be considered as "taken" within the time limited by law (a) whenever it is allowed by a court in open court; and (b) whenever,—if it is to be allowed by a judge,—the petition and assignment of errors, or copies thereof, are presented to him and his action thereon requested (unless he disallows); and (c)—if it is allowable only by the Circuit Court of Appeals,—whenever such papers, accompanied by a clerk's fee deposit of $10.00, are lodged with the clerk of that court for presentation at the first session of the court thereafter,—provided that the appeal is later allowed. After action by the Circuit Court of Appeals, under (c) the papers lodged, and a certified copy of the order made, shall be at once sent to the clerk of the court appealed from. After action by a District Judge, under (b) the appeal papers shall be at once filed with the clerk of the District Court.

RULE 14

Supersedeas and Cost Bonds

1. Upon the allowance of any appeal to, or writ of error from this court (except when allowed to a party proceeding in forma pauperis, or in other case where, by statute, no bond is required), the court or judge allowing shall take and approve a bond with good and sufficient security that the appellant shall prosecute his writ or appeal to effect, and answer all costs if he fail to make his plea good.

2. If the appeal or writ of error is to operate as a supersedeas, the court or judge shall, in the allowance, order that it have such effect upon the filing of the required bond, and in such case, the bond shall be conditioned to answer all damages and costs. Such indemnity, where the judgment or decree is for the recovery of money not otherwise secured, must be for the whole amount of the judgment or decree, including just damages for delay, and costs and interest on the appeal; but in all suits where the property in controversy necessarily follows the suit, as in real actions and replevin, and in suits on mortgages, or where the property is in the custody of the marshal under admiralty process, or where the proceeds thereof, or a bond for the value thereof, are in the custody of the court, indemnity will be required only in an amount sufficient to secure the sum recovered for the use and detention of the property, and the costs of the suit and just damages for delay, and costs and interests on the appeal.

RULE 15

Records and Returns on Writs of Error and Appeals

1. All appeals, writs of error and citations must be made returnable not exceeding thirty days from the day of allowing the appeal in open court or signing the citation, whether the return fall in vacation or in term time, and must be served before the return day.

2. The clerk of the District Court shall make return to any writ of error to, or appeal from, that court, by transmitting, certified under his hand and the seal of the court, a transcript of the record in the District Court, prepared as directed by other

provisions of this rule. He shall make such return on or before the return day, unless the time therefor be extended as otherwise provided in these rules.

3. In all appeals, not in admiralty (and save in cases under General Equity Rule 77), the transcript—the contents of which are to be determined pursuant to clauses (a) and (c) of General Equity Rule 75 (Notes 1-4—shall always include: (1) the statement of evidence; (2) the clerk's certificate showing what portions are included by request of each party; (3) any opinion or memorandum filed by the judge pertaining to the matter involved in the appeal; (4) the pleadings affecting the decree or order appealed from, and such order or decree; (5) all proceedings relating to the appeal and the security given thereon, together with a copy of the citation, if one there was, and the evidence of service; (6) in cases removed from the state court, the full transcript on removal; and (7) in bankruptcy, shall also contain the petition for adjudication and the order thereon. It shall omit: (1) all formal proceedings to bring into court parties who afterwards appear generally, unless such proceedings are involved in the desired review; and (2) all motions or petitions filed and all affidavits in connection therewith, and all orders made and proceedings had thereon, unless such matters are involved in the desired review. It shall carry, at the beginning of each paper, the name thereof, and the date when it was filed, omitting the title of the court and the cause and all formal endorsements (Note 2). Orders and decrees shall carry a short, descriptive title with the date and entry and the name of the judge, but without other caption (Note 3). Exhibits or documents shall not be duplicated, but a cross reference shall be made.

NOTE 1.—General Equity Rule 75—
Record on Appeal—Reduction and Preparation.

In case of appeal:

(a) It shall be the duty of the appellant or his solicitor to file with the clerk of the court from which the appeal is prosecuted, together with proof or acknowledgement of service of a copy on the appellee or his solicitor, a praecipe which shall indicate the portions of the record to be incorporated into the transcript on such appeal. Should the appellee or his solicitor desire additional portions of the record incorporated into the transcript, he shall file with the clerk of the court his praecipe also within ten days thereafter, unless the time shall be enlarged by the court or a judge thereof, indicating such additional portions of the record desired by him.

(b The evidence to be included in the record shall not be set forth in full, but shall be stated in simple and condensed form, all parts not essential to the decision of the questions presented by the appeal being omitted and the testimony of witnesses being stated only in narrative form, save that if either party desires it, and the court or judge so directs, any part of the testimony shall be reproduced in the exact words of the witness. The duty of so condensing and stating the evidence shall rest primarily on the appellant, who shall prepare his statement thereof and lodge the same in the clerk's office for the examination of the other parties at or before the time of filing his praecipe under paragraph a of this rule. He shall also notify the other parties or their solicitors of such lodgment and shall name a time and place when he will ask the court or judge to approve the statement, the time so named to be at least ten days after such notice. At the expiration of the time named or such further time as the court or judge may allow, the statement, together with any objections made or amendments proposed by any party, shall be presented to the court or the judge, and if the statement be true, complete and properly prepared, it shall be approved by the court or judge, and if it be not true, complete or properly prepared, it shall be made so under the direction of the court or judge and shall then be approved. When approved, it shall be filed in the clerk's office and become a part of the record for the purposes of the appeal.

(c If any difference arise between the parties concerning directions as to the general contents of the record to be prepared on the appeal, such difference shall be submitted to the court or judge in conformity with the provisions of paragraph b of this rule and shall be covered by the directions which the court or judge may give on the subject.

4. Upon writ of error from this court, the contents of the transcript shall be determined and the transcript made up in the same manner provided by clauses (a and (c) of General Equity Rule 75 and clause 3 of this rule, both applied as near as may be to an action at law. Such transcript shall contain also a copy of the bill of exceptions, the assignments of error and the writ of error.

5. The original citation with proof of service and the original writ of error shall be filed with the clerk of the court below and be by him transmitted with the transcript to the clerk of this court.

6. Whenever it shall be necessary or proper, in the opinion of the District Judge, that original papers or exhibits of any kind shall be inspected in this court upon review, he may make such rule or order as to him may seem proper for the safekeeping, transporting and return of such original papers and exhibits; and this court will receive and consider such originals in connection with the transcript.

7. The record, in cases of admiralty and maritime jurisdiction, shall be made up as provided in General Admiralty Rule 52 (now Rule 49).

8. On motion duly made, or on its own motion, this court will order portions to be stricken from the transcript, or additions to be made thereto by supplementary return, as may appear proper.

RULE 16

Death of a Party

1. Whenever a party to a case pending in this court shall die, the personal representative may suggest the death upon the record, filing evidence of his representative capacity, and designating counsel, and thereupon the case shall stand as revived in behalf of or against the interest of the deceased party, and the cause shall proceed as in other cases.

Note 2—e. g., "ANSWER,
Filed February 1, 1913."

Note 3—e. g., "FINAL DECREE.
Entered February 1, 1913,
by Judge..............................."

Note 4—Return of Evidence.

If the evidence has been printed for use of the trial court or if, for other special reasons, the delay and expense involved in a reduction to narrative form makes a burden exceeding the benefits to be derived from such condensation, and if thereupon the parties stipulate that, for the purpose of appeal, the evidence may become a part of the record wholly or in part in its verbatim form, and the District Judge certifies that in his judgment the reasons for the stipulation are sufficient, thereupon a copy of such evidence, duly certified, may be used in the return to the appeal, whether that return is in typewriten or in printed form; but in such case, and upon its own motion, this court will remand the case for a narrative statement, whenever that course seems reasonably necessary to satisfy the controlling purposes of the rule.

Whenever the parties stipulate that paper exhibits need not be copied into the return but that the originals may be sent up therewith, the Clerk of the District Court may certify the return accordingly; and the Clerk of this Court shall at once take the opinion of this Court as to whether printing of these exhibits may be dispensed with. Unless it is, he shall proceed to print, under the rule.

2. Where a party to a case pending in this court shall die and his personal representative does not, within sixty days after such death, appear under clause 1, any other party in interest may suggest such death upon the record, filing evidence of the due appointment of a personal representative, and thereupon, and without notice, the court or any judge thereof will make an order that such personal representative appear and designate counsel. In default of such appearance, within thirty days after service on such personal representative of a certified copy of such order, the adverse party, on proof of such service and without further notice, may have, from this court, an order either to revive the cause and direct that it proceed as to the interest held by the deceased party or to dismiss the case as to such interest, as may be by the court thought proper.

3. If the death of a party is brought to the attention of this court, and proceedings are not taken under clause 1 or clause 2 sufficiently to dispose of the resulting situation, the court will, on its own motion, direct such steps to be taken as are proper to dispose of the case or expedite the hearing.

4. Whenever any party to a suit pending in a District Court shall die, and because of such death and because of the absence of any personal representative of the deceased within the jurisdiction of the District Court and any means of compelling the appointment of such a representative within such jurisdiction the adverse party is not able to have the case revived in the District Court and to proceed with the desired review in this court, the adverse party desiring a review may proceed as if such death had not occurred, and may have supersedeas as in other cases, serving all required papers and notices upon such persons as, in the judgment of the District Court, will be most likely to give notice to all persons interested in the estate, and as may be directed by the District Court. When the record in such a case has been filed in this court, the same proceedings shall be had as specified in clauses two and three, or the Court will take such proceedings as may to it seem advisable to bring in the proper parties.

RULE 17

Proceedings in Forma Pauperis

1. Applications for leave to proceed in this court pursuant to the Act of July 20th, 1892, as amended June 25th, 1910, must be by special motion with notice under Rule 24. If made before return is filed in this court, notice shall be served upon the adverse counsel in the District Court. The showings by affidavit must be sufficient to satisfy this court that the appellant is entitled to the benefit of the act.

2. If appellant was plaintiff or complainant below, he must, with his application to this court, make it appear whether or not any other person—attorney, counsel, or otherwise—is beneficially interested in the recovery sought, and, if so, that every such person is, because of his poverty, unable to pay, or give security for, the costs from which appellant seeks to be excused.

RULE 18

The Docket—Docketing—Dismissing

1. The clerk shall enter upon the docket in their proper chronological order all cases brought to or in this court.

2. The appellant shall docket the case and file the record thereof with the clerk of this court by or before the return day, whether in vacation or in term time, and at the time of filing the record, the appellant shall deposit with the clerk the sum of forty-five dollars as security for costs, except in cases in which the proper showing is made and an order of this court is entered thereon allowing the cause to proceed in forma pauperis and except in the cases where, by statute, advance payment of costs is not required. For good cause shown, the justice or judge who signed the citation, or any judge of this court, may enlarge the time for return at or before its expiration, the order of enlargement to be returned with the record and filed with the clerk of this court. If the appellant fails to comply with this rule, the appellee may have the cause docketed and dismissed, upon producing a certificate from the clerk of the court wherein the said judgment or decree was rendered, stating the case and certifying that such writ of error or appeal has been duly sued out or allowed. In no case shall the appellant be entitled to docket the case and file the record after the same shall have been docketed and dismissed under this rule, unless by order of the court.

3. The appellee may, at his option, docket the case and file a copy of the record with the clerk of this court; and if the case is docketed and a copy of the record filed with the clerk of this court by the appellant within the period of time above limited and prescribed by this rule, or by the appellee at any time thereafter, the case shall stand for argument.

4. The appearance of the counsel docketing the case shall thereupon be entered upon the docket.

5. All subsequent papers filed, orders made and proceedings had, shall be noted upon the docket.

6. Whenever counsel for appellant and appellee shall, in vacation, sign and file with the clerk an agreement in writing directing the case to be dismissed and specifying the terms as to costs, on which terms it is to be dismissed, and shall pay to the clerk any fees due, he shall enter the case on his docket as dismissed and give to either party requesting it a copy of the agreement filed; but no mandate or other process on such dismissal shall be issued without the order of the court.

RULE 19

Printing Records

1. In cases where the record is printed by the appellant under Act of February 13. 1911, he shall file with the clerk twenty-five printed copies thereof within the time as limited or extended for making return to writ of error or appeal. The clerk shall examine the printed records so offered to ascertain whether the transcript complies with Rule 15, and also, whether the printed records comply with the statute and are properly indexed. If, in his judgment, they are insufficient in any particular, he shall bring the matter to the attention of the court, which will thereupon make such order as to it may seem proper for corrected or supplementary return and printed records. As soon as the printed records are approved as filed or perfected as ordered the clerk shall deliver one copy to each counsel or group of counsel representing a separate interest, and shall continue such distribution as counsel subsequently appear.

2. The clerk shall, from time to time and as directed by the senior Circuit Judge, receive proposals for printing such records as are to be printed by the clerk, which proposals shall be submitted to such judge, who will, in his discretion, award such printing to the most satisfactory bidder; and the same shall be done, during the period of such award, by the person to whom it is made.

3. In cases where appellant is not proceeding under such statute, the clerk shall at once, upon the docketing of the case cause an estimate to be made of the cost of printing the record, including his supervising fee as provided in the table of costs following Rule 27, and notify counsel for appellant of the estimated amount, which shall be paid to the clerk within ten days after such notice. If not so paid, the case may be dismissed upon motion or by the court upon its own motion. Supplemental estimates and payments thereof shall be made, if necessary; any excess payment shall be refunded, when the printing is finished. When the record was printed upon a former review of the same case, and enough old records to be reasonably sufficient for use upon the hearing are on file or available, the use of such old records, in lieu of printing, will be permitted, upon the order of the presiding judge, and to the extent specified in such order.

4. At once, upon the payment of such estimate, the clerk shall cause twenty-five copies of the record to be printed forthwith, shall file the same and shall distribute three copies of the same to counsel for each separate adverse interest then or thereafter appearing. Before printing, he shall examine the transcript to ascertain whether it complies with Rule 15, and if, in his judgment, it omits anything required by that rule, he shall submit the matter to the court, which will make such order as to it may seem proper regarding a corrected or supplementary return; and the printing shall be delayed until the filing of any further return so ordered. In printing, the clerk shall omit any matters contained in the transcript which, by Rule 15, or required to be omitted. If the appellant shall in writing and before the record is printed, request the clerk so to do, he shall print fifty copies instead of twenty-five. If the appellee shall request such additional copies to be printed, the clerk shall comply with such request, if the appellee, upon demand, advances to him the estimated cost of printing the additional twenty-five copies. If, later a review in the Supreme Court is sought, the clerk shall deliver such twenty-five copies to the party seeking a review; but if such additional records are wanted by the party who did not pay for the printing thereof, the clerk shall require payment to him of the actual cost of such additional printing and shall refund the same to the party who had paid therefor.

5. Where the record is printed by the appellant, he shall file proof by affidavit of the actual cost of such printing, including the amount paid to the clerk in the District Court for the transcript. The amounts paid to the clerk of the District Court for the manuscript transcript and to the clerk of this court for printing and for his fees in connection therewith, or the amounts so shown to have been paid below by appellant (not exceeding, for printing, the amount which printing and supervision by the clerk of this court would have cost) shall form a part of the costs of the cause in this court and shall be taxed against the party against whom the costs are given and shall be inserted in the mandate or other proper process.

6. In order that the appellant may receive the benefit of paragraph five of this rule, the clerk shall, upon docketing the printed record, give notice by letter, to the appellant or his counsel of record, of the docketing of the cause and the requirement of paragraphs five and six of this rule, and the appellant shall, within sixty days from the date of this notice, file the proof required by paragraph five, and unless such proof is filed within the time required, the cost of printing such record shall not be included in the taxation.

RULE 20

Briefs

1. Counsel for appellant, within twenty-five days after the filing of the printed copies of the record, shall file with the clerk twenty printed copies of a brief.

2. This brief shall contain, in order here stated:

(1) A concise abstract or statement of the case, presenting succinctly the questions involved, and the manner in which they are raised;

(2) A brife of the argument, exhibiting a clear statement of the points of law or fact to be discussed, with a reference to the pages of the record, and the authorities relied upon in support of each point. When a statute of a state is cited, so much therof as may be deemed necessary to the decision of th case shall be printed at length.

3. Within thirty days after service of appellant's brief, counsel for appellee shall file with the clerk twenty printed copies of his brief, which shall be of like character to that required of appellant, except that no statement of the case shall be required.

4. Subsequent briefs may be filed by either party; by the appellant, not less than twenty days, and by the appellee, not less than ten days, before the case is put on call for argument. Later briefs will not be received by the clerk or by the court, without permission of the court or one of the judges thereof.

5. Every brief of more than twenty pages shall contain, on its front fly leaves, a subject index with page references, the subject index to be supplemented by a list of all cases referred to, alphabetically arranged, together with references to the pages of the brief where the cases are cited, and unless leave of court has first been obtained, no main brief that exceeds eighty pages and

no reply brief that exceeds twenty pages shall be filed.

6. At or before the time of filing any brief, two copies thereof shall be served upon each adverse counsel who has appeared in this court, and if there has been no appearance here for appellee, then upon his counsel in the court below; and the clerk shall require proof or acknowledgment of such service to be filed with the briefs.

7. When an appellant is in default under clause 1 of this rule, the case may be dismissed on motion, or further time may be granted; when an appellee is in default under clause 3 of this rule, the appellant may bring such default to the attention of the court by motion for a summary judgment of reversal, and thereupon the court will entertain such motion, or grant further time, as may seem proper; at the hearing, a party who has not filed a brief as required by this rule, will not be heard orally, unless the court shall so request.

RULE 21

Form of Printed Records and Briefs

1. Records printed by the clerk shall be of a uniform size, printed in small pica type, 24 ems to a line, 48 lines to a page, solid, with index and suitable cover, containing the title of the court and cause, the court from which the case is brought to this court and the number of the case; size of pages to be 9½ by 6½ inches, except that in patent cases, the size of the page will be 10¾ by 7⅝ inches—that is to say, large enough to bind in copies of Patent Office drawings and specifications without folding.

The type shall be of a clear, strong face, substantially equivalent to that in which this rule is printed, and the paper shall be wholly unglazed. Each page shall carry, as a running head, in addition to the 48 lines, the name of the paper or of the witness testifying, as found on that page. Each pleading, order, exhibit or other paper shall be separated from the preceding matter by a two-inch space, and shall be headed by its title, in black-face capitals, and its filing date (e. g., "ANSWER—Filed February 15, 1913"). The full title of the court and cause below shall be given on the title page; elsewhere, both shall be omitted.

2. Printed arguments and briefs of attorneys shall conform, as far as practicable, to the size and style of the printed record, but shall contain about 36 lines to the page, and be leaded with at least two-point leads.

RULE 22

The Hearing Calendar

1. Upon the expiration of the time limited for filing briefs, the case shall stand for hearing when reached.

2. Calendar, containing all cases docketed and not hard, shall be printed by the clerk for the October, January and April sessions. The cases on the calendar which stand for hearing under clause 1 will be called for argument in their order (as far as practicable) on the calendar, except as special advancements may have been made.

3. By leave of court and on motion of either party (1) cases entitled by statute to precedence, (2) criminal cases, (3) appeals, writs of error or petitions to revise in bankruptcy matters, and (4) cases which are for the second time in this court,—may be advanced and set for a designated session. The court may also, on its own motion or for good cause shown on motion of either party, advance any case to be heard at any session, though the time permitted under the rules for filing briefs may not have expired at the day set for hearing.

4. Not more than three cases will be heard on one day (counting, however, as one case, two or more which are heard together). The call for the next day shall, at the adjournment of court, be exhibited in the clerk's office. Counsel choosing to rely on the judgment of the clerk as to the probable time of hearing any case must do so at their own risk.

5. When the case is called, if either party is ready, the case will be heard. If there is no appearance for either party, the case will be dismissed. If the appellant does not appear by counsel or by printed brief but the appellee does appear, the case will be dismissed. If the appellant appears and the appellee does not, the court will hear the appellant.

6. By agreement of counsel in open court or by stipulation filed in the clerk's office, hearing may be continued once to any later session during the term or from the last session of one term to the first session of the next term, but not to a later day during the same session. Subsequent continuances can be made only by the court and will be only for reasons satisfactory to the court; and engagement of counsel in other courts will not be considered good cause.

7. Two or more cases, involving the same question, may, by order of the court, be heard together, but they must be argued as one cause.

RULE 23

Oral Argument

1. Cases will not be taken upon briefs, without oral argument, except by permission of the court on special application made before the case is reached.

2. The appellant shall be entitled to open and to conclude. Cross appeals or cross writs of error shall be argued together as one case, and the plaintiff below shall be considered as appellant under this rule.

3. Two counsel, and no more (unless by special permission), may be heard for each party; but where no brief is filed and no counsel is heard for one party, only one counsel will be heard for the adverse party.

4. One hour on each side, and no more, will be allowed for argument unless, upon application to the Presiding Judge, made ten days before the argument, he allows additional time. The time for argument may be apportioned between counsel on the same side, at their discretion, provided that a fair opening of the case is made by the appellant.

RULE 24

Motions and Hearings Thereon

1. Motions shall be filed with the clerk and shall contain a brief statement of the facts and of the objects of the motion, and be accompanied by such affidavits as are thought proper.

2. Counsel making the motion shall serve a copy thereof and of the accompanying papers and a notice of hearing upon the adverse counsel, and also copy of any brief or argument to be presented in support of the motion. Such notice may be for any day after four days from the service. The opposing party may, on or before the day named in the notice or within any extension of time made by the court or a judge thereof, file counter showing or brief; and the motion will then stand submitted, unless oral argument is directed. Except by stipulation, no motion will be considered without acknowledgment or proof of such notice.

3. Upon motions, there will be no oral ar-

gument, except by leave of the court first obtained; and in such case, the court will fix the day for hearing and the time to be allowed for argument, and the clerk will notify counsel.

RULE 25

Opinions

1. All opinions delivered by the court will, immediately upon the delivery thereof, be handed to the clerk to be recorded.

2. The clerk shall cause to be printed any manuscript opinion filed with him. An opinion printed under the supervision of the clerk need not be copied into a book of records; but at the end of each term, the clerk shall cause such printed opinions to be bound in a substantial manner into one or more volumes, and when so bound, they shall be deemed to have been recorded within the meaning of this rule.

RULE 26

Interest and Damages

1. Where a judgment or decree of the District Court at law, in equity, bankruptcy or admiralty, requiring the payment of money, is affirmed by this court, interest thereon from its date and until payment shall be calculated and levied at the same rate borne by similar judgments or decrees in the courts of the state where such District Court sits. In all cases to which this clause of this rule applies, the mandate shall be taken to direct the allowance of such interest.

2. Where, in any such case, the review in this court has delayed proceedings to collect the award in the District Court, and shall appear to this court to have been had or prosecuted merely for delay, damages at a rate not exceeding ten per cent of the award, and in addition to interest, may be imposed by this court.

RULE 27

Costs

1. Where any case shall be dismissed out of this court for lack of jurisdiction herein, only such costs as are incidental to hearing and determining the question of jurisdiction will be awarded; in all other cases (except when provided by statute or general rule), upon the final disposition of a proceeding in this court, costs will be awarded to the party here prevailing, unless the court, by special direction, denies, otherwise awards or apportions the costs.

2. In cases to which the United States is a party, no costs in this court will be awarded.

3. In denying or apportioning costs under clause 1, the court will enforce, as far as possible, the duty of each party to confine within the limits prescribed by Rules 10 and 15 the bill of exceptions, statement of evidence and transcript.

4. The cost of stenographers' transcripts of testimony used in settling a bill of exceptions or a statement of evidence, will not be taxed in this court, but shall be awarded and taxed by the court below after mandate, as this court may direct, or, lacking such direction, as to that court shall deem proper.

5. When costs are allowed, it shall be the duty of the clerk to insert the amount thereof in the body of the mandate or other process sent to the court below, and annex to the same a bill of items taxed in detail.

6. The proper fees of the clerk therefor shall be paid before any transcript of the record in any case shall be transmitted to the Supreme Court.

TABLE OF COSTS

Order Promulgated by the Supreme Court of the United States, February 28, 1898.

Ordered, in pursuance of the Act of Congress of February 19, 1897 (29 Stat. 536, c. 263), that the following table of fees and costs in the Circuit Courts of Appeals be, and the same is hereby, established, to take effect on the first day of March, A. D. 1898, and no other fees and costs than those therein named shall thereafter be charged:

Docketing a case and filing the record	$ 5.00
Entering an appearance	.25
Transferring a case to the printed calendar	1.00
Entering a continuance	.25
Filing a motion, order or other paper	.25
Entering any rule, or making or copying any record or other paper, for each one hundred words	.20
Entering a judgment or decree	1.00
Every search of the records of the court and certifying the same	1.00
Affixing a certificate and a seal to any paper	1.00
Receiving, keeping and paying money in pursuance of any statute or order of court, one per cent on the amount so received, kept and paid.	
Preparing the record for the printer, indexing the same, supervising the printing and distributing the copies, for each printed page of the record and index	.25
Making a manuscript copy of the record, when required by the rules, for each one hundred words (but nothing in addition for supervising the printing	.20
Issuing a writ of error and accompanying papers, or a mandate or other process	5.00
Filing briefs, for each party appearing	5.00
Copy of an opinion of the court, certified under seal, for each printed page (but not to exceed five dollars in the whole for any copy)	1.00
Attorneys' docket fee	20.00

RULE 28

Rehearings

A petition for rehearing after judgment can be presented only within thirty days (at the same or succeeding term) after the day when the printed opinion of the court is filed, and can be obtained by counsel for the parties (which date the clerk will note upon the docket), unless by special leave granted during such thirty days by the court or a judge thereof, and must be printed, and briefly and distinctly state its grounds, and be supported by certificate of counsel, and will not be granted, or permitted to be argued, unless a judge who concurred in the judgment desires it and a majority of the court so determines.

RULE 29

Mandate

1. In all cases finally determined in this court, a mandate, or other process in the nature of a procedendo, shall be issued to the court below, for the purpose of informing such court of the proceedings in this court, so that further proceedings may be had in such court as to law and justice may appertain.

Unless otherwise ordered, such mandate shall not issue until time has elapsed for filing a petition to rehear, as defined by Rule 28; and no mandate or other process of procedendo shall issue when a petition to rehear is pending, unless specially ordered.

Every mandate shall be accompanied by a copy of the opinion held in the cause in which it is issued, and the charge for the same shall be taxed in the costs of the case.

In cases not requiring special form of process, the mandate (unless otherwise directd by the court or a judge thereof) shall be issued by the clerk upon the expiration of time for filing rehearing petition, or upon the denial of such petition, and as well in vacation as in term time.

2. A defeated party desiring to make application to the Supreme Court for writ of certiorari, having opportunity in the normal case to prepare petition for such writ within thirty days from the filing of the written opinion of this court, and the Supreme Court having power to grant stay of proceedings upon allowance of writ of certiorari, stay of mandate beyond the original thirty dav period will not be allowed as a matter of course but only upon showing satisfactory to the court that the peculiar circumstances of the individual case and the interests of justice require such further stay.

RULE 30

Physical Exhibits

1. Physical exhibits, not returned with the record but which are to be used on the hearing, shall be placed in the custody of the marshal of this court at least ten days before the case is heard or submitted.

2. All such physical exhibits shall be taken away by the parties promptly after the mandate issues. When this is not done, it shall be the duty of the marshal to notify the counsel in the case, by mail or otherwise, of the requirements of this rule, and if the articles are not removed within reasonable time after the notice is given, he shall destroy them or make such other disposition of them as to him may seem best.

RULE 31

Library

The court shall appoint and fix the compensation of some suitable person as librarian who shall serve until his successor is appointed, and shall give a bond for the performance of his duties to be approved by the court and in amount to be fixed by the court. All sums received by him shall constitute a fund to be expended by him, but only on approval of the presiding judge, in the maintenance and betterment of the court library; and the librarian shall annually render an account of his receipts and disbursements for examination and approval of the court.

RULE 32

Custody of Prisoners on Habeas Corpus

1. Pending an appeal from the final decision of any court or judge declining to grant the writ of habeas corpus, the custody of the prisoner shall not be disturbed.

2. Pending an appeal from the final decision of any court or judge discharging the writ after it has been issued. the prisoner shall be remanded to the custody from which he was taken by the writ, or shall, for good cause shown, be detained in custody of the court or judge, or be enlarged upon recognizance, as hereinafter provided.

3. Pending an appeal from the final decision of any court or judge discharging the prisoner, he shall be enlarged upon recognizance with surety for appearance to answer the judgment of the appellate court, except where, for special reasons, sureties ought not to be required.

RULE 33

Mandamus and Prohibition

1. The alternative writ of mandamus will not be issued, but, on proper showing, an order to show cause will be made.

2. The party desiring a writ of mandamus or prohibition shall file his petition therefor and showing in support thereof together with such brief or memorandum as he may desire. These need not be at this time, printed, and notice need not be given. He shall deposit ten dollars with the clerk on account of fees. The clerk shall enter the application on his docket, and informally submit the papers to the court.

3. If the court is of opinion that the application justifies a hearing, an order to show cause will be entered returnable as promptly as the situation permits; if of contrary opinion, an order of denial will be made, and the clerk shall notify the applicant accordingly, enter the case on his docket as closed and returned to the applicant the surplus, if any, of the fee deposited.

4. If such order to show cause is made, the clerk shall deliver a certified copy to the applicant, who shall cause the same to be served within the time and in the manner fixed in the order. An answer or return shall be filed on or before the return day as specified in the order or as extended by a judge of this court. Unless within ten days after the filing of such answer or return the appellant makes special motion to award and frame an issue, or, if an issue is framed, then upon the return of the proceedings thereon, and unless the court orders a hearing as upon motion, the matter shall stand for hearing upon the calendar, and the clerk shall receive the remaining twenty-five dollars of the usual fee deposit, estimate and require a deposit for printing and print the record, briefs shall be filed and the matter, in all respects proceed like other docketed causes.

RULE 34

Revision by Appeal in a Bankruptcy Proceeding

1. An appeal taken under Sec. 24 (b) of the Bankruptcy Act (Sec. 47b, Title 11, U. S. Code) to superintend and revise in matter of law, after being allowed by this court, shall proceed, as nearly as may be, as in other appeals.

2. Whenever an appeal under Section 24 (b) is desired, the party contemplating appeal may promptly present to the judge proposed findings of fact concisely developing the legal question. These proposed findings shall be settled according to the practice in a suit at law; but the pendency of findings for settlement does not suspend the running of the time for appeal. Without such findings there can be no review under this Section 24 (b), unless the matter of law arises:

(a) Upon the face of the record, by pleadings or otherwise;
(b) Upon the facts stated in the report or certificate of master or referee which has been, as to its facts, accepted by the District Judge;
(c) Upon an agreed statement of facts;
(d) As to whether there is any evidence to support a fact expressly found or necessarily implied. In cases of this class (d), the evidence shall be settled and certified as provided by General Equity Rule No. 75 (b).

3. Companion appeals unders Sections 24 (a) and 24 (b), intended to present the same or the same and additional questions, may be united in one (if allowed by the Circuit Court of Appeals) and whether so united or taken separately shall be returned and heard as one case.

4. If an appeal has been so allowed that it may be effective either under 24 (a) or 24 (b), but is otherwise presented as if it arose under one when it can in law arise only under the other, it will be heard and decided as if it had been properly presented, provided that the record is sufficient to permit that disposition. If insufficient, then the record will be remanded for perfecting or the appeal will be dismissed, as may be directed by the court.

RULE 35

Rules Respecting Review of Decisions of the United States Board of Tax Appeals

I. Every petition for review of a decision of the United States Board of Tax Appeals, shall set forth briefly the nature of the controversy, shall declare the court in which review is sought, shall contain assignments of error separately stated and numbered in respect of each and every error asserted and intended to be argued, and shall be verified by the petitioner or his attorney of record.

II. If error is assigned in the admission or rejection of evidence, or on the ground that a finding of the board is unsupported by any evidence, a statement of the evidence submitted to the board shall be prepared by the petitioner. Such statement shall contain in narrative form the evidence material to the assignments of error, and shall be prepared by the parties and settled by a member of the board in accordance with the general equity rules promulgated by the Supreme Court of the United States.

III. The party applying for review shall file his petition with the clerk of the Board of Tax Appeals, and serve a copy thereof with notice of filing on the opposite party or parties. The review shall be taken by such filing and notice.

IV. Within 60 days from such filing and notice the statement of evidence, if any, shall be prepared and filed, and the clerk of the Board of Tax Appeals shall transmit and deliver to the clerk of this court copies duly certified as correct of the following documents:

1. The docket entries of proceedings before the board.
2. Pleadings before the board.
3. Findings of fact, opinion, and decision of the board.
4. Petition for review.
5. The statement of evidence, if any, as settled or agreed upon. The time for such preparation of evidence and transmission and delivery of documents may be enlarged by a member of the Board or a judge of this Court, and all such orders of enlargement shall forthwith be filed with the clerk of the Board of Tax Appeals and certified copies thereof be sent to this court with the above enumerated documents.

V. If such certified copies are not delivered to the clerk of this court within 60 days from said filing and notice or before the expiration of the time enlarged by order, a motion to dismiss the petition for delay may be made, and shall be granted unless good cause be shown for the delay.

Law Rules of the District Court of the United States

Eastern District of Michigan—Amended to Sept. 1, 1933

RULE 1

Admission of Attorneys

All attorneys and counselors at law, of good standing, who have been admitted to practice in the Supreme Court of this State, or in the Supreme or any Circuit or District Court of the United States, shall, on motion, be admitted to practice in this court. They shall take an oath to support the Constitution of the United States, and that, as attorneys and counselors of this court, they will faithfully discharge their duties to the best of their ability.

RULE 2

Service of Notices, Etc.

1. All notices shall be in writing and shall be served on the attorney in the cause.

2. Notices and papers may be served on an attorney by delivering the same to him personally, or by leaving the same with his clerk in his office, or with a person having charge thereof; or when no person is to be found in the office, by leaving the same, between the hours of six in the morning and nine in the evening, in some suitable and conspicuous place in such office; or, if the office be not open, so as to admit of service therein, then by leaving the same at the attorney's residence with some person of suitable age and discretion.

3. When opposing attorneys have their offices in different towns, cities or villages, service of notices and papers may be made by depositing the same, properly directed and with postage paid, in the post office; and in such case the time of service must be increased one day for every fifty miles distance between the place of deposit and the place of address. When a party, other than an attorney of this court, prosecutes or defends in person, the service of notices or papers may be made on such party in like manner personally or by mail.

4. No service of notice or paper in the ordinary proceedings of a cause shall be necessary to be made on a defendant who has not appeared therein, except when the defendant is returned imprisoned for want of bail; in which case a copy of the declaration shall be delivered to him, or to the officer in whose custody he shall be; and when an exception is entered to bail, and no notice of the retainer of an attorney to defend is given, notice of such exception shall be delivered to the marshal or one of his deputies.

RULE 3

Agreements to Be in Writing

No private agreement or covenant between the parties or their attorneys in respect to the proceedings in a cause shall be binding, unless evidence thereof shall be in writing, subscribed by the party or his attorney, against whom the same shall be alleged.

RULE 4

Security for Costs

Non-resident plaintiffs of this district may be required by order of the Court to give security for costs.

Sureties shall be a resident of this district unless the court for sufficient cause direct the acceptance of of a non-resident as such surety.

If the plaintiff in any suit where security for costs has been ordered shall fail or neglect to pay any costs for which he is liable for ten days after the final determination of the suit, the person to whom such costs are due may have judgment and execution against the surety for the amount so due, upon motion filed, and ten days' notice thereof, in writing, to such surety.

In cases removed from a State court the party in whose behalf the case is removed, if a non-resident of the district, shall, on filing a copy of the record in such suit, give security for costs in like manner as is required of non-residents in cases commenced in this court. In default thereof it shall be competent for the opposite party upon the usual notice to have the case dismissed.

RULE 5

What Denominated Common, and What Special Rules; Entry of Common

Every rule to which a party would, according to the practice of the court, be entitled of course, without showing special cause, shall be denominated a common rule; and every other rule shall be denominated a special rule. All common rules, and all rules by consent of parties, shall be entered with the clerk at his office, in a book to be provided by him for that purpose, to be called the "common rule book," and may be entered at any time, as well in vacation as during term; and the day when the rule shall be entered shall be noted therein, and the party may enter such rule as he may conceive himself entitled to of course, but at his peril.

RULE 6

How Time Computed on Service of Papers, Etc.

The day on which any rule shall be entered, or order, notice, pleading or paper served, shall be excluded in the computation of the time for complying with the exigency of such rule, order or notice, pleading or paper, and the day on which a compliance therewith is required, shall be included, except where it shall fall on a Sunday, in which case the party shall have the next day to comply therewith. When by the terms of any order an act is directed to be performed instanter, it shall be done in twenty-four hours.

RULE 7

Motions

All motions shall be in writing, and filed with the Clerk, and shall have indorsed thereon the names of the parties and their respective attorneys. Notice of such motions and copies of the affidavits, or papers on which they are based, shall be served on the opposite party.

At least two days' notice shall be given of the calling up for argument of any motion.

RULE 8

Papers to Be Indorsed and Not to Be Taken From Clerk's Office

All papers shall be properly indorsed before filing the same, and the Clerk shall not suffer or permit any writ, pleading, affidavit, deposition, or other paper whatever on file in his office, to be taken therefrom without the order of the court or a judge thereof; but parties interested in any such may inspect the same in his office.

RULE 9

Writs—When Returnable

All original writs, including capias, may be issued in vacation or term and made returnable on the first Tuesday of any month, and also on any day in term; provided that no such writ shall be made returnable more than three months from its date.

RULE 10

Bail—When to Be Filed

In suits commenced by capias, the marshal shall file the appearance bail bond at the return of the capias; and special bail shall be filed within twenty days after the return day named in the writ; and the sureties may be required to justify according to the usages of law.

RULE 11

If Special Bail Insufficient New to Be Given

When special bail is required to justify, and the court shall declare the same insufficient, the defendant shall immediately give other sufficient special bail, or his appearance bail shall be liable on his bond, unless the defendant appear and is prayed into custody.

RULE 12

Proceedings When Special Bail Not Given

When the defendant has been taken on a capias ad respondendum, and has given satisfactory appearance bail, but fails to appear and give special bail, the plaintiff may proceed to final judgment; which proceedings shall not release the appearance bail; and the plaintiff may obtain, in such a case, a judgment, also, against the appearance bail, on motion, and proof of service of notice of such motion, at least fifteen days before the motion is made.

RULE 13

Judgment Against Special Bail

When special bail is given, and an execution against the body has been returned not found, judgment may be rendered against such special bail for the amount of the judgment recovered and costs, upon a motion in open court, based upon service of a written notice to the special bail of at least thirty days.

RULE 14

Appearance

In suits commenced other than by capias, the defendant may appear by filing precipe for entry of his appearance with the clerk, and causing notice thereof to be served on the plaintiff or his attorney.

RULE 15

Time and Manner of Pleading—Service of Pleadings

In all suits commenced by original writ, the plaintiff shall file his declaration within twenty days after the return day of the writ. Within ten days after the time limited for filing the declaration, the defendant may cause notice of his appearance, or of retainer, to be served on the plaintiff. The plaintiff shall, within ten days after the time limited for serving such notice, serve upon the party giving such notice a copy of the declaration filed. The defendant, in suits so commenced, shall demur or plead to the declaration giving notice of special defense, if any, and serve a copy of his demurrer or plea, special defense, and notice, if any, upon the opposite party or his attorney, within twenty days after the service of a copy of the declaration. All subsequent pleadings, when admissible in suits so commenced, as well as in suits commenced by service of declaration shall be respectively filed, and copies served on the opposite party within ten days each after the other, until issue in fact or in law be joined. In all cases copies of pleadings shall be served within the time limited for filing the same, whether suit is commenced by original writ or otherwise.

RULE 16

Forms of Declarations

The forms of declarations adopted under the new English rules prior to 1840, so far as they are not inconsistent with either the statutes of the United States or the peculiar organization of the circuit courts may be used, or the same may be drawn according to the forms heretofore in use.

RULE 17

Declaration—Insurance Policies—Warranties, Etc.—General Issue—Notice

In order to avoid needless prolixity, inasmuch as policies of insurance are generally issued upon printed forms, of the contents of which the companies issuing them are fully advised, it shall not be necessary hereafter in declaring upon such policies to set forth specifically any more than the date and amount of the policy, the premium paid or to be paid, the property or risk insured, and the loss; and upon the trial, proofs may be made in the same way as if the declaration had set forth the policy in full. And in case the company or person issuing such policy shall rely, in whole or in part, upon the failure of the plaintiff to perform or make good any promise, representation or warranty, not contained in such policy, but set forth in any other paper or instrument in the hands of said insurer, the notice under the general issue shall declare the same, and indicate the breach relied on.

RULE 18

Amendment, on Plea of Non-Joinder

When the defendant in any action founded on contract shall plead in abatement the non-joinder of any other person as defendant, the court in term time, or the judge in vacation, may, at any time before issue joined on such plea, allow the plaintiff, on such terms at the court or judge shall prescribe, to amend his declaration by inserting therein the name of any other person as defendant, and declaring against him jointly with the original defendant. The plaintiff may thereupon take out a writ, in such form as the court or judge shall prescribe, which shall be in the nature of a summons, and shall require the new defendant to appear and answer as defendant in the original action; and such writ shall be served as in other cases. Upon the return of such writ, every person named therein as defendant shall be bound to appear and answer with the other defendants, in the same manner as if they had all been orginally made parties.

RULE 19

Demurrer to Be Special—Amendment on Demurrer

When either party shall demur to any pleading, he shall briefly but plainly specify the objections, in matters of substance as well as those of form, upon which he intends to rely on the argument; and if the pleading shall be adjudged bad for any cause not so specified, the party pleading, when allowed to amend on terms, will be permitted to do so without costs.

RULE 20

Pleas in Abatement or to the Jurisdiction

Pleas in abatement or to the jurisdiction, and all other dilatory pleas, shall be filed without any rule for a special or general special imparlance, within ten days after filing and service of declaration.

RULE 21

General Issue

The general issue may be made in the following form: "The defendant comes and demands a trial of the matters set forth in the plaintiff's declaration;" and the form of a demurrer may be as follows: "The said defendant says that the said declaration is not sufficient in law," showing the special cause of demurrer, if any; and a joinder in demurrer may be made as follows: "The plaintiff says that the said declaration is sufficient in law."

RULE 22

Amendment of Pleadings

1. The plaintiff may at any time before the default for not replying to a plea or a demurrer shall be entered, amend his declaration; and thereafter either party may, before default for not answering shall be entered, amend the pleading to be answered. If the pleading be such as does not require to be answered, it may be amended under this rule only within ten days after filing the same. The respective parties may amend under this rule of course and without costs, but shall not be entitled so to amend more than once. Under this rule new counts, pleas or notices may be added.

2. No rule to amend shall be required, but a copy of the amended pleading or notice, indorsed "amended narr," "plea," "notice," etc. (as the case may be) shall be filed and served, with a notice that the same is a copy of the pleading or notice as amended. And the time to plead or answer shall be from the day of service of such copy of the amended pleading.

RULE 23

Bills of Particulars

1. In cases in which the defendant is entitled to demand a bill of particulars, the plaintiff shall file and serve such bill, unless it has been already filed and served, on being served with a notice requiring the same. And

the defendant shall have like time to plead after receiving the bill of particulars, to which he was entitled at the time of serving such notice.

2. If the plaintiff shall unreasonably neglect to furnish a bill of particulars, or if the bill of particulars delivered be insufficient, the court may, in its discretion, non-suit the plaintiff, allow farther time to furnish it, or require a more particular bill to be delivered.

3. In cases where it is competent for the plaintiff to call upon the defendant for a bill of the particulars of his set-off, the defendant shall file and serve such bill, unless already filed and served, on the written request of the plaintiff or his attorney; and in case it be not filed and served within thirty days after such request, the court may exclude all testimony touching it.

RULE 24

Defaults

If either party shall make default in filing and serving any pleading or notice within the time limited by rule, the opposite party may have his default entered in the common rule book.

RULE 25

Plaintiff Not Bound to Accept Plea After Default, Except, Etc

The defendant's default being duly entered, the plaintiff shall not be bound afterwards to accept a plea, unless the defendant as soon as he shall know that the default has been entered, shall serve an affidavit of merits, plead issuably, and pay or tender the costs of the default.

RULE 26

Defaults, How Made Absolute—Reference to Clerk or Jury—Assessment After Plea Withdrawn

The party in whose favor default may have been entered in term or in vacation, may at any time, after four days in term shall have intervened, or if entered in term time, then at any time after the expiration of four days thereafter, or in such other time as may be ordered by the court, have a rule entered in the common rule book to make such default absolute, and for such judgment as the party is entitled to by reason of the default. If such default be taken by plaintiff for want of plea, he may, by said rule, in cases where it is competent, make reference to the clerk to assess the damages; and in other cases said rule shall direct that the assessment be made by a jury. When a plea is withdrawn the case shall stand as on default absolute, and damages may be assessed at any time thereafter.

RULE 27

Affidavit of Partnership

In all actions brought by persons claiming as partners, or by foreign corporations, the plaintiffs may, at the time of filing their declaration, cause to be filed with the clerk an affidavit stating that the plaintiffs were the persons composing such partnership, or existed as such foreign corporation under the laws of some other State, territory, or country to be specified, at the time the contract in question was made, or the cause of action accrued, and serve a copy thereof on the defendant, or his attorney with such declaration, which service may be made and proved in like manner with that of the declaration; and such affidavit shall be prima facie evidence of such existence of such partnership or corporation; provided, however, that if the defendants, or any of them, shall make and file with their plea a counter affidavit stating that he or they have reason to believe, and do believe, that such partnership or corporation did not exist as set forth in the plaintiff's affidavit, it shall be incumbent on the plaintiffs to prove such partnership or corporation.

RULE 28

Execution of Written Instrument Admitted If Not Denied on Oath

Upon the plea of the general issue in an action upon any written instrument, under seal or without seal, the plaintiff shall not be put to the proof of the execution of the instrument or the handwriting of the defendant, unless the defendant or some one in his behalf shall file and serve a copy of an affidavit denying the same, and this rule shall apply in actions brought against indorsers as well as other parties, and shall also apply in favor of a defendant in cases where claims by way of set-off are insisted upon by him. Such affidavit shall be filed, when by the defendant, with the plea, and when by the plaintiff, within ten days after service of the specific set-off claimed; but the court may, upon proper showing, enlarge the time for filing such affidavit.

RULE 29

Commissions

Commissions to take the depositions of witnesses residing without the district, or more than one hundred miles from the place of trial, may issue in all cases where necessary when any case is at issue, or in default, by consent of the parties in writing, or by order of the court in term, or of a judge thereof in vacation.

The interrogatories to be attached to such commission shall be settled by a judge or commissioner of this court, and the proceedings upon the settlement of such interrogatories, and upon the execution and return of such commission shall conform in all respects to the practice of the courts of this State.

RULE 30

Objections to Depositions, When to Be Made

It shall be the duty of the clerk to open and file all depositions in open court as soon as they are received, and to give immediate notice thereof to both parties. All objections of form to such depositions shall be deemed to be waived unless the same shall be filed in writing and served on the opposite party within five days after receiving such notice. Depositions taken during the session of the jury will be suppressed on motion, unless the opposite party has appeared and cross-examined.

RULE 31

Notices of Trial

Notices of trials of all civil issues of fact, shall be served at least fourteen days before the first day of the term of court at which the trial is intended to be had. Issues of law may be brought on at any time upon five days' notice. Notice of the trial of issues of fact in cases removed from a State court before the first day of a term may be served at any time fourteen days before a copy of the record is required to be entered in this court.

RULE 32

Notes of Issue

In all civil cases where a party or attorney desires that a case may be placed on the docket for any term, for trial or argument, he shall file with the clerk the proper note of issue at least eight days before the commencement of such term. Such note of issue shall state the names of the parties and their attorneys, and the class of the docket to which the case belongs.

RULE 33

Calendars, How Made Up

Previous to each term the clerk shall prepare a calendar of civil cases for said term, and cause the same to be printed.

All cases in which issues of fact have been joined, and notes of issue filed, shall be separately arranged under the head of "Issues of Fact," in the order of the dates of issue. Cases for assessment shall be arranged separately under the head of "Imparlances." Cases in which issues of law have been joined, under the head of "Issues of Law."

RULE 34

Inquests

The plaintiff in any action of covenant, debt, or assumpsit, on money bonds, promissory notes, or bills of exchange commenced hereafter, at issue as well as default, may have the same called out of its order on the calendar, and an inquest taken and judgment rendered thereon at the opening of the court on any day of the term after the first, in all cases where parties are sued in their individual capacity; unless the defendant, or his attorney shall, before the first day of the term, have filed an affidavit of merits, and served a copy thereof on plaintiff's attorney; provided the intention of the plaintiff to take an inquest under this rule be expressed in the notice of trial.

RULE 35

Motions for Continuance

No motion for the continuance of a cause shall be heard after the first day in term, unless a sufficient excuse is shown for the delay. And on every application by a party for the continuance of a cause for the absence of a witness, the party so applying shall state, in addition to the usual requisites, the facts which he expects to prove by the absent witness, and shall also state with particularity the diligence he has used to procure his attendance. In case it is admitted by the opposite party in a civil cause that the witnesses named would, if placed on the stand, testify as stated in such affidavit, the motion for a continuance shall be denied, unless the court, for the furtherance of justice, shall deem a continuance necessary.

RULE 36

Plaintiff May Discontinue Against Any Defendant

When an action founded on contract is brought against several persons, the plaintiff may, at any time before the final submission of the cause, be allowed to discontinue as against any of the defendants, upon the payment of costs to them, as in case of non-suit, and on such other terms as the court shall direct; and the plaintiff may thereupon amend his declaration, and proceed against the other defendants in like manner as if the action had been originally brought against them alone.

RULE 37

Stenographers

Whenever either party to a civil action shall desire a shorthand report of the testimony or of any proceedings therein, and the court shall deem the cause a fit one to be reported, the court will direct full phonographic notes of the same to be taken, and to be, if desired by the parties to said cause, or by the court, forthwith fairly transcribed, the charges for the taking of said phonographic notes, or any transcription thereof, to be fixed by the court, and forthwith to be paid under the order of the court, by the party requesting the same, or by both parties, equally, when such transcription shall be desired by the court, or by both parties.

Said charges for such notes and transcriptions shall be allowed and taxed in the bill of costs in said cause, as proper disbursement.

RULE 38

Motions for New Trial

Motions for new trial, with the reasons on which they are founded, shall be made within two days after the rendition of the verdict, in the case of a trial by jury; and where the cause has been tried by the court, two days after the decision of the court.

RULE 39

Motions in Arrest of Judgment

Motions in arrest of judgment shall be made within the same time as motions for new trial, except when a motion for a new trial has been interposed and overruled; and then within two days after the motion is overruled.

RULE 40

Writs of Execution

Writs of execution or final process may be made returnable like mesne process, on the first Tuesday of any month, or any day in term, but such writs shall not be returnable in less than twenty, nor more than ninety days from the date of issuing the same. In the levy and advertisement, as well as on all sales of real or personal estate hereafter to be had by virtue of said writs of execution issuing out of this court, the proceedings thereon shall in all respects be in conformity with the laws of the State of Michigan and the practice of the courts of said State, and the parties to such execution shall be entitled to the same rights and privileges given to them by virtue of the laws and practice aforesaid, the marshal and his deputies performing all the duties incumbent on the sheriff and his deputies under said laws and practice.

RULE 41

Selection of Juries

The clerk and jury commissioner shall, from time to time each year, select not less than six hundred persons from different counties in the district—citizens of Michigan qualified to serve as jurors, to act as such for the ensuing year, and the names of such persons shall be placed in a box, to be kept under lock and key by the clerk, and at least five days before each term the clerk and marshal shall, in presence of the district attorney, impartially, and without prejudice or favor, draw out of the box the names of twenty-three such qualified citizens as grand jurors, and the names of eighty-four such qualified citizens as traverse jurors, in obedience to the venire which shall be issued commanding the marshal to summon the same. Such persons so drawn to serve as grand or traverse jurors, shall be summoned by the marshal or his duly qualified deputies, in person, or by letter directed to the place of residence of the juror, and the venire shall be returned at such day in the term, and on such hour in the day as the judge directing it shall designate. A list of the drawn jurors shall, on the day of the drawing, be filed by the clerk in his office, subject to the inspection of the parties interested in the same. A list of the persons whose names are placed in the box, as above provided, shall also be kept on file in the clerk's office, and no person shall be drawn or serve as a juror (except as talesman in a particular case), whose name does not appear upon such list.

The clerk shall also keep a list of all jurors attending at any term of this court alphabetically arranged which shall be present at the drawing, and if the name of a juror who shall have attended as such within two years shall be drawn, a minute of such fact shall be entered, the name destroyed, and another name drawn.

RULE 42

Drawing of Jurors

The drawing of jurors shall be conducted as follows:

1. The clerk shall shake the box containing the names of jurors selected and placed therein as specified in rule 41, so as to mix the slips of paper upon which said names are written as much as possible.
2. The marshal shall then publicly draw out of said box so many of said slips of paper containing such names as shall be necessary for grand jurors, and so many as shall be necessary for petit jurors, as specified in rule 41.
3. A minute of the drawing shall be kept by the clerk, in which shall be entered the name contained on every slip of paper so drawn, before any other slip shall be drawn.
4. If after the drawing the whole number required for grand or petit jurors the name of any person shall appear to have been drawn who is dead, or become insane, or who has permanently removed from the district, to the knowledge of any of the attending officers, an entry of such fact shall be made in the minutes of the drawing, and the slip of paper containing such name shall be destroyed.
5. Another name shall then be drawn in place of that contained on the slip of paper so destroyed, which shall, in like manner, be entered on the minutes of the drawing.
6. The same proceedings shall be had as often as may be necessary until the whole number of jurors required shall have been drawn.
7. The minutes of the drawing shall then be signed by the clerk and the attending officers, and filed in the clerk's office, as required by rule 41.
8. Separate writs of venire facias for the summoning of the persons so drawn for grand jurors, and of those drawn for petit jurors, shall be forthwith issued by the clerk and delivered to the marshal of the district. Separate lists of the names of the persons so drawn, specifying their places of residence, shall also be prepared by the clerk and delivered to the marshal, together with the said writs.

RULE 43

Oaths and Affidavits

Jurats and affidavits to be used in this court may be verified before the clerk of any court of record, or before any notary public, provided, however, that when such clerk or notary is a non-resident of the district, his signature shall be attested by his official seal.

RULE 44

Rules of State Courts

In cases when no special provision is made by these rules, the statutes and the rules of the circuit courts of this State shall govern the proceedings in this court.

RULE 45

Bay City

Hereafter a docket shall be kept of cases for trial at Bay City, to be known as the Bay City docket. The following classes of cases shall be placed upon such docket:

1. All cases in which a written stipulation to that effect shall be filed.
2. Cases which, in the opinion of the court, may be more conveniently tried there. Such cases will be ordered there for trial upon motion of either party and notice to the opposite party. Cases upon the Bay City docket can only be noticed for trial at that place.

RULE 46

Ex parte orders and judgments by default may be taken indiscriminately either at Detroit or Bay City. Other motions in cases upon the Bay City docket may also be heard either at Detroit or Bay City.

RULE 47

Commissioners' Accounts

Accounts of United States Commissioners shall be made in duplicate, to be marked respectively "original" and "duplicate," and both shall be filed in the Clerk's office. And it shall be the duty of the Clerk to forward the original accounts, when approved, to the proper accounting officers of the Treasury; and to retain in his office the duplicates, where they shall be open to public inspection at all times.

RULE 48

Printing

In order to conform the practice in the clerk's office to the provisions of the "Act to diminish the expense of proceedings on appeal," passed Feb. 13th, 1911, the following rules are adopted:

1. The printing of all transcripts of record on appeals shall be done under the supervision of the clerk.
2. Every transcript of a record on appeal shall contain the bill of exceptions in full and the entire charge of the court.
3. The parties by written sitpulation filed with the clerk within ten days after the allowance of the appeal may agree that there shall be printed only such part of the record and proofs, in addition to what is above required to be printed, as shall be designated in the stipulation. In default of such stipulation the appellant shall within such ten days designate in writing what part of the record and proofs he desires printed, in addition to what is above required to be printed, and file such designation with the clerk. If he designates less than the whole of such record and proofs, he shall at once serve a copy of

his designation on the opposite party, and, within ten days after such service, the latter shall designate in writing what parts of the record and proofs he desires printed in addition to what has been designated by the appellant and shall file his designation with the clerk.

4. The appellant shall cause transcripts to be printed containing all parts of the record or proofs hereinbefore required to be printed and all other parts thereof designated in such stipulation or, in the absence of a stipulation, by either of the parties in their written designations, and the certification shall indicate when a part only of the record and proofs are printed, what parts of the transcript are inserted on designation of the appellee in order that the Court of Appeals may be advised, should it wish to make any particular direction as to costs.

5. For all copies furnished by the clerk in preparation of the transcript, he shall receive fifteen cents per folio, or fifteen cents for any copy so furnished containing less than fifty words.

6. For supervising the printing and for all other services incident to the preparation and printing of the transcript, for which no fee is now provided by law, the clerk shall receive the sum of twenty-five cents (25c) for each printed page.

7. On the delivery to the clerk of the printed transcript for certification and seal, he shall furnish to the appellant a statement of his fees, as heretofore provided in this rule and by statute, and within five days after the payment of such fees, the clerk shall certify said printed transcript, affix the seal thereto, and deliver the copy so certified to the appellant.

RULE 49

No Advancement Cases

All law cases which have been at issue for one year, or in which no advancement has been made in the pleadings for a period of one year, shall be placed upon the term docket by the Clerk, whether noticed by the parties or not.

RULE 50

Call of Term Docket

The term docket shall be called at the opening of Court on the first day of the term, or at some adjourned date.

RULE 51

Striking Out or Adding Cases to Trial Docket

All motions to strike cases from the trial docket or to add cases to the trial docket shall be made at the time of the call of the docket. Such motions shall be in writing, duly verified.

RULE 52

Motions for Continuance

All motions for continuance must be in writing, duly verified and made on the first day of the term, except for reasons arising subsequent to the said first day of the term. Motions for continuance for reasons arising subsequent to the first day of the term must be made immediately after such reasons for continuance arise.

RULE 53

Cause for Continuance

No cases will be continued by stipulation and only for good cause shown.

RULE 54

Cases Not at Issue

All cases placed upon the trial docket pursuant to foregoing Rule No. 49, which are not at issue at the time of the call of the docket, shall be dismissed for want of prosecution.

RULE 55

Want of Prosecution

Any case not announced as ready for trial by either of the parties, on the call of the docket, and in which no good cause is shown for continuing the case over the term or striking it from the docket, shall be dismissed for want of prosecution. A notice of trial for the term will be construed by the Court as an announcement that the case is ready unless good cause is shown for continuance or striking the case from the docket.

RULE 56

Order of Trial for Cases

Cases will be tried in the order in which they appear upon the term docket except when otherwise ordered by the Court.

RULE 57

Cases on Call

The Clerk will keep upon the call at all times during the term, three cases in addition to the one on trial, and the attorneys of record will be notified in writing, by mail, when their cases are placed upon the call. No other notice will be given to any other person at any other time except in respense to inquiries made of the Clerk. The call of the cases is entirely in the hands of the Clerk and will not be considered by the Court at chambers, and only on motion made in open Court.

RULE 58

Nonappearance

If when the case is called for trial the plaintiff does not appear and no affirmative relief has been asked by the defendant, the case will be dismissed for want of prosecution. In all other cases th trial shall proceed when the case has been called.

RULE 59

Depositions

All depositions shall be taken and filed in the case before the first day of the term, except where the necessity for taking the deposition arises after the first day of the term and then only on leave obtained from the court on special motion in writing duly verified.

RULE 60

Final Hearings Before U. S. Commissioner

United States Commissioners in and for the Eastern District of Michigan shall within fifteen days immediately after final hearing in proceedings before them, send to the Clerk of this court to be filed in his office, in all proceedings before such Commissioners, whether defendants be discharged or held to answer, all original papers in such proceeding before him including all original depositions together with a memorandum of the names of the witnesses examined, with a brief recapitulation of the evidence.

RULE 61

Deporting of Chinese

Whenever proceedings are brought in this court by the United States to deport from the United States any Chinese person for violation of the laws relative to Chinese, and an order is made by this court discharging said petitioner or defendant, before said petitioner or defendant is released from custody, he shall furnish a photographic likeness of himself to the Clerk of this court to be placed within the records in said cause, whether such proceedings be by petition for writ of habeas corpus or otherwise.

Whenever proceedings are brought before a United States Commissioner for this District, to deport any Chinese person from the United States for violation of the laws relative to Chinese, and the Commissioner finds that the defendant should be discharged, before releasing said defendant from custody, said defendant shall furnish a photographic likeness of himself to the Commissioner, and said Commissioner shall before discharging said defendant file with the Clerk of this Court the order discharging said defendant with such photograph attached.

RULE 62

Examination of Prospective Jurors

Examination of prospective jurors shall be by the Judge alone. If counsel on either side desires that additional matter be inquired into, he shall state the matter to the Judge, and the Judge, if the matter is proper, shall conduct the examination, and excuse, upon challenge, such prospective jurors for cause as in his judgment are disqualified to sit in the case, but counsel shall not be barred from exercising the number of peremptory challenges provided for in Section 287 of the Judicial Code of the United States.

RULE 63

Bill of Exceptions

1. The Court, or the District judge at chambers, may allow such time as may be deemed reasonable to reduce the testimony to narrative form and settle a Bill of Exceptions, provided that no more than twenty days from the last day of the term at which judgment was entered, shall be allowed for such purposes, except upon the production and filing with the clerk of the Court, of a certificate from the stenographer who reported the testimony in said cause, such certificate stating that the party desiring such extension has ordered a transcript of the testimony necessary for the preparation of said Bill of Exceptions, that he has received payment for such transcript, and that the said transcript will be furnished as soon as possible by said stenographer, and in such case the time may be extended for a further period not exceeding thirty days ex parte. Any further extension beyond the said thirty days shall be granted by the Court only upon motion, a copy whereof shall be served upon the attorney for the opposite party at least two days before the date when said motion is to be heard. The Appellee or defendant in error may be granted thirty days from the date of receipt of the proposed Bill of Exceptions within which to file amendments thereto, by order ex parte. If a motion for a new trial is filed within two days after entry of judgment, and such motion be denied, the time to settle a Bill of Exceptions may be extended thirty days from the date of such denial upon the production and filing of said certificate as set forth in paragraph one hereof.

2. A designation of Record shall be filed at the same time with the Bill of Exceptions, and no Bill of Exceptions shall be approved by the Court unless accompanied by such designation of record.

3. A written notice of the appearance of the attorney or attorneys for defendants in criminal cases, shall be filed with the Clerk of this Court prior to the day upon which the trial of said defendant is to be had, and a copy thereof shall be served upon the United States Attorney on the day of filing same; such notice shall contain the office address and telephone number of such attorney; in default of the filing of such notice of appearance, with the Clerk of the Court and of serving same upon the United States Attorney, such attorney shall not be entitled to a notice of the hearing of the trial of such case, and shall not be entitled to be heard in court.

4. Supersedas bonds and bail shall be granted to convicted defendants pending appeal, only in cases in which such appeal, within the discretion of the trial judge, is not brought on frivolous grounds or merely for delay.

RULE 64

Surrender of Surety

Whenever the surety on a temporary recognizance, for the appearance of a defendant for examination before any United States Commissioner, desires to surrender said defendant and be relieved of further liability on said bond, he shall bring said defendant before the United States Commissioner, before whom said defendant is to appear, in the presence of the United States Marshal, or his deputy, or any officer having authority to arrest on criminal process; and said Commissioner, upon being satisfied of the identity of said defendant, shall endorse upon said bond his order cancelling the same and exonerating the surety from further liability thereon, and shall forthwith transmit said bond to the Clerk of the Court; and said Marshal, or other officer, shall thereupon take said defendant into custody and bring him before this Court at the next regular session thereof, or as soon thereafter as is possible, to be then and there committed into custody, there to remain until discharged by due process of law.

RULE 65

Court Records of Treasury Conservators and Receivers

It appearing to this Court that proceedings from time to time are being instituted by the filing of petitions in this Court by Conservators and Receivers appointed by the Comptroller of the Currency of the United States, in which proceedings, judgments and decrees are being made and entered affecting the title to real and personal property in this district, and that it is imperative that a full and complete court record be made and kept of all such suits and proceedings; therefore, the Clerk of this Court is hereby directed and required to carry all such proceedings in the Court Dockets of this Court and that the indexes of such dockets bear the names of the parties involved in such cases and proceedings in order that reference to owners of titles to property adjudicated in this Court may be accessible to any and all parties in interest, and that the Clerk of this Court charge and account for the statutory fees incident to instituting any such proceedings or cases by petition or otherwise.

Rules of the Court of Claims of the United States

The Petition

1. Suits in the Court of Claims of the United States are commenced by petition, verified in the manner provided by law, and filed in the office of the clerk, with one extra copy in print or typewriting. The clerk will note thereon the day of filing, and will cause a copy to be forwarded to the Attorney General.

2. (a) Suits may be brought by the plaintiff in person or by an attorney of this court. If the plaintiff is represented by an attorney, an employment in writing must be filed with the clerk, and its execution must be proved or acknowledged before an officer authorized to take acknowledgment of deeds.

(b) The attorney or firm of attorneys so designated shall be known as the attorney of record. There shall be but one attorney of record in any case at any one time.

3. Any person of good moral character who has been admitted to practice in the Supreme Court of the United States, or in the highest court of the District of Columbia, or in the highest court of any State or Territory may be admitted, on motion in open court, to practice as an attorney of this court: Provided, That previous to the aforesaid motion being made the attorney seeking admission shall have paid to the chief clerk or the assistant clerk of the court a fee of $5. This rule as to fees shall not apply to the Department of Justice or to attorneys representing the United States.

(a) Where it is shown to the court that any member of its bar has been disbarred from practice in the Supreme Court of the United States, or in any other Federal court, or in the Supreme Court or the Court of Appeals of the District of Columbia, or in the highest court of any State or Territory, he will be forthwith suspended from practice before this court; and unless, upon notice mailed to him at the address shown in the clerk's records and to the clerk of any of the courts mentioned in which he shall have been disbarred, he shows good cause to the contrary within 30 days, he shall be disbarred.

4. (a) Attorneys of record, or the plaintiff if he appear in person, on appearing in a suit will register with the clerk of the court a post-office address to which all notices required by these rules or ordered by the court may be sent.

(b) A plaintiff may change his attorney on such conditions as the court may prescribe. The moving party must produce the consent of the attorney of record or show by affidavit that the attorney of record has been notified of the filing of the motion. The motion must be accompanied by a power of attorney from the plaintiff or a certificate of the attorney of record that the substitution has the assent of the plaintiff.

5. Petitions, pleadings, and motions on the part of plaintiff must be signed by the attorney of record; pleadings and motions on the part of the United States by the proper Assistant Attorney General.

6. If the plaintiff be an executor, administrator, guardian, or other representative appointed by a judicial tribunal, a duly authenticated copy of the record of the appointment must be filed with the petition.

7. (a) The petition must comply with section 159 of the Judicial Code and must set forth:

(b) The title of the action, with the full Christian and surnames of all the plaintiffs.

(c) A plain statement of the facts, giving venue and date, free from argumentative or impertinent matter.

(d) Within 20 days after the filing of the petition the plaintiff shall cause to be filed in the clerk's office at least 30 printed copies of the same, 10 of which shall be for the Attorney General.

(e) The court, on motion assigning good and sufficient cause, may waive printing of the petition.

(f) If the plaintiff neglects to file printed copies of the petition as above provided, the suit may be dismissed when the fact comes to the attention of the court.

8. If the claim be founded upon an act of Congress or upon a regulation of an executive department, the act and the section thereof upon which the plaintiff relies must be specified and the particular regulation of the department must be stated in terms.

9. If the claim be founded upon contract with the United States, the substance of such contract must be set forth in the petition, and if it be in writing, the original or a copy must be annexed thereto. If the claim consists of several matters or items, each must be separately stated.

10. The court, or in vacation, the chief justice, and in his absence the senior judge present, may require a plaintiff to make his petition definite and certain in any particular or to make and file a duly verified bill of particulars within a time fixed, and in case of his failure so to do the petition may be dismissed. (See sec. 165 of the Judicial Code.)

11. In all cases where a petition is dismissed, and the court has jurisdiction so to do, a formal judgment shall be entered against the plaintiff in favor of the United States.

12. When the plaintiff cannot state his case with the requisite particularity without an examination of papers in one of the executive departments and has been unable to obtain a sufficient examination of such papers on application he may file a petition stating his claims, as far as is in his power, and specifying, as definitely as he can, the papers he requires, and thereafter may file a motion for a call upon the proper department for such information or papers as may be deemed necessary, and when the same are furnished the petition may be amended and take the place of the original petition.

13. (a) A plaintiff, desiring to amend his petition or to introduce new parties may, at any time prior to submission of the case, apply for leave to amend upon presenting with his motion an amended petition embodying the amendment desired and serving a copy thereof on the Attorney General. But any such amendments or the right to introduce new parties shall be subject to the objection of the defendant either before or at the trial. All amendments must be by leave of court.

(b) Amended petitions shall be printed, unless printing be waived by the court, and the number to be filed shall comply with ruly 7 (d).

Other Pleadings

14. The defendant shall file a demurrer, plea, or answer within 40 days after the filing of the petition, unless the court for cause shown, extend the time.

15. (a) Unless the Attorney General shall, within 40 days after the filing of the petition, appear and defend by filing a demurrer, plea, answer, or other defense in the premises, and if the time be not extended by order of the court, the clerk will note on the docket

that no answer has been filed, and the plaintiff may proceed with the case, but shall not have judgment for his claim or any part thereof unless he shall establish the same by proof satisfactory to the court.

(b) If the defendant desires to plead any counterclaim, set-off, claim of damages, or other demand authorized by section 145 of the Judicial Code, such pleas must be filed by the Attorney General within 40 days after the filing of the petition, unless the court, for cause shown, shall extend the time.

(c) Within 40 days after the filing of a set-off or counter-claim by the defendant the plaintiff must answer the same by replication under oath, unless the court extend the time.

16. If the defendant be in default of an answer, it shall not proceed to take proof in the suit except by leave of the court. If issue is pending on demurrer, it must be disposed of before testimony is taken.

17. If a demurrer be sustained the petition may be dismissed. But leave may be granted to the plaintiff upon application for such leave, duly filed within 30 days after the order sustaining the demurrer, to file an amended petition, and if it be not filed within 30 days after leave granted, the order of dismissal shall stand.

18. If a demurrer be overruled the defendant may of right answer or plead within 40 days, but if it fails so to do the plaintiff may proceed with the case as provided for in case of default by rule 15 (a).

19. When the Attorney General, by special answer, alleges that the plaintiff has practiced or attempted to practice fraud within the meaning of section 172 of the Judicial Code, he shall set forth the facts with sufficient particularity to enable the plaintiff to answer the same in detail, and the plaintiff shall, within three months after the filing of the special answer, reply to the same with like particularity under oath, unless the court extend the time.

Motions

20. Motions must be made in writing and come to the court or judge through the clerk's office, and may be acted upon in the first instance by the chief justice or a judge at chambers, or in his discretion, they may be referred to the court in conference or sent to the law calendar for argument.

Evidence—Witnesses

21. If a witness, having been duly summoned and his fees tendered him, shall fail or refuse to appear and testify before any officer authorized to take his testimony, a rule upon him will be issued by the court, on motion, to show cause why he should not be punished as for a contempt.

22. The fees of witnesses shall be such as are now or may hereafter be prescribed by Congress, and shall be paid by the party at whose instance the witnesses appear.

23. At the request of either party a person whom either expects or intends to call as a witness in the same case shall be excluded from the room where the testimony of a witness is being taken. If such a person remain in the room or within hearing of the examination after such request has been made, he shall not thereafter be admitted to testify in the case except by the consent of the party who requested his exclusion.

24. (a) Witnesses must be sworn or affirmed before any questions are put to them to tell the truth, the whole truth, and nothing but the truth relative to the cause in which they are to testify; and each witness shall then state his name, age, occupation, and place of residence, whether he has any, and if any, what interest, direct or indirect, in the claim which is the subject of inquiry, and whether, and in what degrees, he is related to the plaintiff.

(b) At the conclusion of the deposition the witness shall be asked whether he knows of any other matter relative to the claim in question, and if he does he shall state it.

(c) The testimony of the witness when completed shall be read over to him and be signed by him in the presence of the officer.

(d) In his return the officer must show that the witness was properly sworn or affirmed, and that the answers were taken down in his presence and read over to and signed by the witness.

25. Where a witness has been examined orally and cross-examined he shall not be recalled at a later date to testify over the objection of the adverse party without leave of court.

Depositions on Oral Examination

26. (a) Unless a witness testify before the court, or a commissioner appointed under the act of February 24, 1925, his evidence must be by deposition, taken either before a commissioner appointed under section 163 of the Judicial Code, or a judge of a court of record in a State or Territory of the United States, or a United States commissioner, or a notary public: Provided, however, The court may order a witness or plaintiff to be produced before the court or one of the judges thereof for examination.

(b) When a deposition is taken before a notary public it must be taken in the form and manner prescribed for commissioners of this court and for the same compensation and subject to rules 24 and 38.

27. The party proposing to take depositions on oral examination shall cause 5 days' notice to be given thereof to the other party or his attorney. The notice must be in writing and state the names of the witnesses to be examined, the day of the month, the hour, and the place of taking the depositions, and, if possible, the name of the officer before whom such depositions are to be taken.

28. When the plaintiff proposes to take a deposition and the witness resides more than 500 miles from Washington, or when the defendant proposes to take the deposition and the witness resides more than 500 miles from the plaintiff or his attorney, 1 day's further notice shall be given for every additional 500 miles.

29. If a deposition is to be taken on behalf of the plaintiff in the District of Columbia, 1 day's notice shall be sufficient; and if it be taken on behalf of the defendant a like notice shall be sufficient when the plaintiff's attorney resides or has an office within the District. But if there be no reason for taking the deposition on such short notice the court or a judge thereof may extend the time.

30. When the court has made an order under section 166, Judicial Code, for the taking of the testimony of the plaintiff, no further testimony on his part shall be taken until he has been examined, unless the court or the chief justice or a judge on motion otherwise orders.

31. When a deposition is taken by oral examination, each question propounded to the witness must be recorded and his answers must be taken down in his own words. But by stipulation of attorneys duly executed (see rule 73 (a)), and to be returned with the deposition, the testimony of the witness may be recorded in narrative form, except where a question is objected to, and in such case the question and the objection correctly stated, as provided in rule 32, shall be recorded.

32. Objections to questions or answers shall be explicitly but briefly stated, and no com-

ment, explanation, or argument of any kind shall be recorded; neither shall there be recorded any comment, explanation, or argument by examining counsel. Any matter recorded in violation of this rule shall be excluded in computing the folios for taxation of fees and shall also be excluded in printing the testimony; and any deposition may be suppressed for a violation of this rule.

33. When depositions are taken on notice, as provided in rule 27, if both parties are present or represented at the time and place specified in the notice, either party may, after the examination of the witnesses produced under the notice, be entitled to produce and examine other witnesses; but in such case 1 day's notice must be given to the adverse party or his attorney there present, unless such notice is waived.

34. The officer must so connect the sheets of the deposition that they cannot be tampered with, and must return them sealed together. He must sign, and make the witness sign, each sheet, and he must spare no pains to return to the court the exact evidence he has taken.

35. All exhibits must be carefully marked so as to be capable of immediate identification and must accompany the deposition; and when practicable, must be attached to the deposition under seal.

36. (a) The officer must state in the caption of the deposition the cause in which it was taken, the place and date of taking, the name of the witness, the party by whom called, and the names of the parties and counsel present. And in the body of the deposition must also be shown by whom the witness was examined and cross-examined.

(b) In no case shall a deposition be taken before a commissioner of the court or other officer (authorized to take depositions) who has any office connection or business employment with the parties to the suit or their attorneys except by consent of parties and when no other officer is accessible, and in his certificate to such depositions such officer shall so certify.

(c) Failure to so certify shall be deemed sufficient ground to suppress such deposition.

37. The officer must inclose the depositions and exhibits in a packet under his seal and direct the same to the clerk of the Court of Claims at Washington, D. C., and deposit the package in the post-office or in an express office, or he may transmit the same by a messenger, whose name shall be by him indorsed on the packet. Depositions reaching the clerk's office in any other way may, on motion, be stricken from the files.

38. (a) If the officer's fee be not paid at the time of taking the deposition he should indorse on the outside of the packet the name and number of the case and for which party the testimony was taken, also the gross amount of his fees and disbursements, and inclose inside a detailed statement thereof.

(b) The packet when so indorsed must not be opened until the party for whom the depositions were taken deposits with the clerk the amount indorsed thereon, unless such deposit be waived in writing by the officer. The clerk will then open the package and tax the officer's charges at the rates hereinafter provided, and will immediately transmit to him the amount taxed, returning the overplus, if any, to the party. Provided, That depositions taken for the Government may be opened and used by the parties in the preparation of a case without the Department of Justice furnishing a certificate that the fees of a commissioner or other officer have been paid; but such depositions can not be read in evidence until such certificate has been furnished.

(c) All money must be transmitted by draft or by cash in a registered letter and the clerk will retain his vouchers received therefor from the commissioner or other officer.

39. (a) The fee shall be 20 cents a folio of 100 words for taking in longhand or typewriting and returning the depositions. When the depositions are taken in shorthand and typewritten, the fee shall be 25 cents a folio.

(b) If the commissioner is not a stenographer he may employ a stenographer to take down and write out the testimony of the witness. The testimony so taken down by a stenographer, must, nevertheless, be given in the presence of the commissioner, who will be held responsible for the accuracy of the deposition subscribed by the witness.

(c) If the stenographer's fees be not paid at the time of taking the deposition, he may transmit a statement to the clerk, and the deposition will then be held by the clerk subject to the provisions of rule 38.

(d) When but one deposition is taken on one notice the commissioner shall receive not less than $3.

40. Any commissioner charging in excess of the prescribed fees, except under a previous written agreement with the parties, will be deemed guilty of improper and illegal conduct and his commission revoked.

41. Objections to the notice or the form and manner of taking or returning the testimony must be made in writing and filed within 15 days after notice of the filing of the deposition or they will be considered as waived.

42. The deposition of a witness, subjected to cross-examination, on file in a case may be used by leave of court in another case, notice of the purpose to use it being given the adverse party; or if the court desires the benefit of evidence appearing in another case it may, by appropriate order and upon reasonable notice to the parties and an opportunity to them to be heard, consider the same.

Depositions on Written Interrogatories

43. (a) Depositions obtained in foreign countries must be taken on written interrogatories sent out under a special commission issued by the clerk.

(b) Depositions may be taken in like manner within the United States unless objection be made and filed by one of the parties, and if objected to they may be so taken when authorized by the court or by the chief justice or a judge in vacation.

(c) The written interrogatories must be filed in the clerk's office and notice thereof given and a copy sent to the adverse party.

(d) Within 15 days after such notice the adverse party may file objections to any of the interrogatories, specifically stating the grounds of objection, and may either file cross-interrogatories or a notice that he will cross-examine the witness orally, which notice shall be attached to the special commission.

(e) If he file cross-interrogatories the other party may within 15 days thereafter file objections thereto specifically stating the grounds of objection.

(f) No objection to an interrogatory or a cross-interrogatory will be considered at the trial unless taken before the commission issues.

44. When a deposition is taken upon written interrogatories and written cross-interrogatories, neither the Attorney General nor the plaintiff, his agent or attorney, nor any other person shall be present at the examination of the witness, which fact shall be certified by the officer taking the deposition. who shall in such cases propound the interrogatories and cross-interrogatories to the

witness in their order and reduce his answers to writing in the witness's own words, said answers to follow immediately after the interrogatories and cross-interrogatories.

Calls Upon the Executive Departments

45. (a) A call under section 164 of the Judicial Code will be made on plaintiff's motion on the approval of the chief justice or, in his absence, of the senior judge present. The motion must show that the evidence called for is relevant, material, and competent.

(b) A call will not be issued for evidence which presumptively is in the possession of the plaintiff, such as copies of letters sent by the defendant's officers to the plaintiff, contracts in duplicate, one of which is retained by the plaintiff, nor any documentary evidence which the plaintiff can himself produce.

(c) On the receipt of an answer to the call the clerk will notify the plaintiff's attorney and the Attorney General.

(d) In the matter of calls upon the Comptroller General of the United States for information or papers, the court (in cases where the calls would be allowable upon the Treasury Department under the usual practice) will make a request upon the Comptroller General for the information desired. Instead of asking for a call the application should be for a request that such information or copies of papers be furnished.

46. Motions for calls upon the executive departments or requests to the Comptroller General shall be filed in the clerk's office and the clerk shall file any such motions when accompanied by two copies thereof and transmit one of the copies to the Attorney General. If no response thereto be received by the clerk within 10 days after it shall have been so transmitted by him, the motion may be presented to and acted upon by the chief justice or a judge at chambers, as in the case of other motions.

47. The Attorney General may offer in evidence properly certified information and papers from any executive department or the office of the Comptroller General without calling for the same under the provisions of section 164 of the Judicial Code.

48. (a) All information and papers furnished by an executive department or the Comptroller General in response to a call or request or through the Attorney General are subject to objection by either party according to the rules of evidence at common law; but neither party will be required to produce the originals of such papers or to prove their execution unless the party objecting to such papers files in the clerk's office a written denial of their genuineness.

(b) Such information and papers in reply to a plaintiff's call or request not objected to by him before trial will be regarded as evidence offered by the plaintiff.

49. Any information or papers certified from any executive department and filed in any case may, by leave of court, be used and applied in any other pending cause to which the same may be applicable or pertinent, notice thereof being filed.

Comparison of Handwriting

50. Where the defendant intends to prove the signature of a paper by comparison of handwriting, notice must be given in due time, either by describing in the brief the paper to be proved or by filing a special notice to that effect. The plaintiff may then request that the papers be brought into court before the trial and comparison of handwriting be made. This will be done at the opening of court on any day when the court is sitting.

Production of Original Papers by the Plaintiff

51. The court may, at the instance of the Attorney General, order any plaintiff, his agent, or attorney, to produce in court before any officer authorized to take depositions, any letters, papers, deeds, documents, or other writings in his possession or subject to his control in any way relating to the claim sued upon; and any plaintiff, his agent or attorney, who after due notice refuses to produce such letters, papers, deeds, documents, or other writings, when in his power to do so, shall be subject to attachment for contempt, or the court may direct the petition be dismissed.

Printing of Depositions and Other Papers

52. (a) The testimony will not be printed except by order of the court on written motion therefor.

(b) In printing the testimony, the notices and the officers' captions and certificates will be omitted; but to each deposition there must be prefixed a title in the following form:

(c) Deposition of ——— ———, for plaintiff (or defendant, as the case may be), taken at ——— on the ——— day of ———, 19—; plaintiff's counsel, ——— ———; defendant's counsel, ——— ———.

53. Before printing a return made to a call or request the clerk will withhold from the copy for the Public Printer—

First. All papers of which copies have been previously printed in the record of the case, and for this purpose he will compare the two copies, and if variations are found he will take the directions of the chief justice or any judge at chambers before sending the return to the printer.

Second. All certificates of authenticity and certificates of acknowledgment.

Third. All papers which both parties agree to omit.

Fourth. All papers which a judge at chambers orders to be omitted.

54. If the plaintiff objects to printing information or papers so returned and the Attorney General requests to have the same printed, the clerk will note a memorandum of such request in the copy for the printer, with his initials attached, and when such information or papers are printed the same will be regarded as evidence offered on the part of the defense.

55. (a) The printed papers required by these rules must be in long-primer type on unglazed paper and in octavo pages, with the style and number of the case prefixed, and the paging in large, distinct type in the upper corner of the page: Provided, That requests for findings of fact and briefs shall conform to the provisions of rule 64.

(b) The printed paging of evidence, either for the plaintiff or the defendant, shall be a continuation of the record and continuous throughout the whole record, and shall be properly indexed.

(c) The attorneys for the plaintiff and for the defendant shall see that the paging of their request for findings and briefs follow the paging of that part of the record already printed when the brief is prepared.

56. The deposition of a plaintiff taken under section 1080 of the Revised Statutes shall not be printed unless the Attorney General shall first have filed in the case a written declaration of his intention to read the same in evidence on the trial, and the filing of such declaration shall be considered as the exercise of the discretion vested in that officer by said section, and shall entitle the plaintiff to read the examination as evidence at the trial if the Attorney General declines

to do so, unless for good cause shown the court shall otherwise order.

Special Findings of Fact

57. (a) In any case where both parties request in writing at the time the case is submitted that the facts be specially found, it shall be the duty of the court to make and enter special findings of fact as part of its judgment.

(b) In any case where special findings of fact are not so requested at the time the case is submitted, a party aggrieved by the judgment may, not later than 20 days after its rendition, request the court in writing to find the facts specially, and thereupon it shall be the duty of the court to make special findings of fact in the case and, by an appropriate order, to make them a part of its judgment. The judgment shall be regarded as remaining under the court's control for this purpose.

(c) The special findings required by the two preceding paragraphs shall be in the nature of a special verdict, and shall set forth the ultimate facts found from the evidence, but not the evidence from which they are found. (See act of Feb. 13, 1925, 43 Stat. 936, 939.)

58. (a) Either party requesting a special finding of facts as provided for in the foregoing rule shall make such request in the following terms: "The ———— ———— considering the facts hereinafter set forth to be proven and deeming them material to the due presentation of this case in the special findings of fact, requests the court to find the same as follows:"

(b) Following this request must be a statement in the form of distinct numbered propositions of the facts which the party desires to have found; and each proposition must be so prepared with respect to its length, subject, and phraseology that the court may conveniently pass upon it; each statement of fact shall be followed by citations of the pages or parts of the record relied upon to establish such fact, but no evidence must be set out; and the several propositions must be so arranged as to present a concise statement in orderly and logical sequence of the whole case.

(c) Documents which may enter into the findings of fact need not be set out in the statement, but may be referred to therein by the pages of the record as part thereof.

(d) No requests for a special finding of fact will be entertained unless at the time it is made the party making it shall have duly filed, or shall tender, the request in writing and in accordance with the foregoing provisions.

59. The plaintiff shall file not less than 30 printed copies of his request for special findings in the clerk's office, 10 copies of which shall be retained by the clerk for making up the trial record, and 5 copies shall be furnished to the Attorney General.

60. Upon the filing of plaintiff's request for special findings of fact, notice of such filing shall be given to the Attorney General by the clerk, and within 60 days from such filing of plaintiff's request if the defendant desires to object, it shall file in the clerk's office at least 30 printed copies of its objections thereto, 10 copies of which shall be retained by the clerk for making up the trial record, and 5 copies shall be furnished to the adverse party. The defendant shall point out therein specifically its objections to each requested finding, with references to the parts of the record relied upon to sustain its objections, and may suggest any changes desired therein. The defendant may request such additional findings as it may deem material, the request to be in form and substance similar to that required by rule 58. The 60 days above mentioned may be reduced or extended in any case by order of court.

Briefs

61. (a) Within 60 days from the conclusion of the taking of evidence on both sides the plaintiff shall file in the clerk's office 30 copies of his printed brief, 10 copies of which shall be retained by the clerk for making up the trial record, and 5 copies shall be furnished to the Attorney General.

(b) The plaintiff's brief shall begin with a clear statement of his case and may include in the statement references to parts of the record. He shall present and discuss in his original brief all propositions upon which he relies for a recovery.

62. (a) Within 60 days from the filing of plaintiff's brief and the notice thereof by the clerk, the defendant shall file in the clerk's office at least 30 copies of its printed brief, 10 copies of which shall be retained by the clerk for making up the trial record, and 5 copies shall be furnished to the adverse party or his attorney of record.

(b) Preceding its argument, the defendant's brief shall contain a clear statement of its case. Its brief shall be addressed, first, to any desired discussion of the propositions presented in plaintiff's brief, and, second, to the presentation of such other propositions as are relied on in defense of the action.

63. (a) Statements of fact or propositions of law presented in defendant's brief as matter of defense, and not properly within the scope of plaintiff's original brief, may be discussed by plaintiff in a reply brief, but matters within the proper scope of plaintiff's original brief shall not again be discussed in a reply brief.

(b) A reply brief may be filed within 20 days after the filing of defendant's brief, unless the time be reduced or extended by order of court, and no brief shall be received after the prescribed time except upon order of the court for cause shown; nor shall any briefs other than those described above be received at any time except upon such order.

(c) After a cause has been submitted, any stipulation or additional authorities which counsel desires to call to the attention of the court shall be submitted by appropriate supplemental memorandum of at least eight copies filed with the clerk of the court, and not by letter. The clerk will serve a copy upon opposing counsel. Supplemental or reply briefs will be permitted only in accordance with the rules.

64. The requests for findings and briefs must be in long-primer type, on unglazed paper, in octavo pages, and comply with rule 55.

65. The plaintiff by leave of court may file in the clerk's office, in lieu of printed copies, seven typewritten copies of his brief and request for special findings of fact, one copy of which shall be furnished by the clerk to the Attorney General. The defendant may then in like manner file typewritten copies.

General Docket

66. (a) It shall be the duty of the clerk to keep a general docket in which shall be entered the title and nature of all suits brought in the court, the names of the attorneys filing such suits, the designated attorneys of record, and all other proceedings had during the progress of the case. From this docket the trial calendar shall be made up.

(b) The court reserves the right to call cases upon the general docket at the beginning of each term, and at stated times during the term. Except the call at the beginning of the term, notice of any call of the general docket shall be posted in the clerk's office for 30 days prior to the proposed call. Upon any such call of the general docket the court may, on motion made or of its own motion, enter an order requiring the party to show cause why the case should not be dismissed if the plaintiff appears to be in default, or why it should not be proceeded with, or be placed on the trial calendar if the defendant appears to be in default.

At the call of the general docket or calendar, whether such call be at the beginning of the term or during the term, any case may be dismissed for want of prosecution.

(c) Parties filing petitions, other pleadings or motions, except motions for calls on departments, must at the same time leave with the clerk written notice thereof addressed to the attorney of the adverse party, and the clerk will mail the same and note the fact on the general docket. All other notices to adverse parties may be served in like manner. The clerk's entry on this docket will be prima facie evidence of the service. In the computation of time the day of the service will be excluded, and the day on which a party is required to appear, or on which an act is required to be done, will be included.

Calendar

67. (a) When the plaintiff has closed his evidence, he shall enter the fact in the notice book kept by the clerk.

(b) When the defendant has closed its evidence, it shall enter the fact upon the notice book, and as soon thereafter as the plaintiff shall file his request for special findings of fact and brief, and note the fact upon the notice book, the case shall be placed upon the trial calendar kept by the clerk.

(c) The taking of testimony by either party shall be considered as closed upon the filing of a brief; and thereafter no testimony shall be taken by such party without leave of court first obtained.

(d) The court may at any time, upon the motion of either party, or upon its own motion, order any case to be placed upon the trial calendar after the lapse of six months from the filing of the petition, and may dismiss the same for non-prosecution if when the case is called the plaintiff does not show cause against such dismissal.

68. Demurrers and pleas to the jurisdiction of the court will be placed upon the law calendar by the clerk immediately upon being filed and will be heard and disposed of before the taking or printing of testimony on the merits.

69. When in any case which has not been placed upon the trial calendar it shall be shown to the court on motion that an early decision thereof is important to the interests of the Government, the case may, in the discretion of the court, be placed on the trial calendar.

Trials

70. Ten or more cases on the trial calendar will be called, after having been assigned and posted in the clerk's office each day for trial on the following day, and if not then argued or submitted by the parties, or by either in the absence of the other, will be disposed of as the court may order.

71. (a) It shall be the duty of the clerk to make up and have ready at the time of trial seven complete records of the case consisting of the printed pleadings, evidence, requests for special findings of fact, and briefs, paged consecutively. All citations from or reference to such pleadings, evidence, special findings, and briefs must be by the consecutive paging of such record. Each record shall contain on the first page thereof a complete index of its contents.

(b) At the time of the trial of the case the clerk shall furnish a copy of this printed record to each member of the court, one copy to the defendant and one copy to the bailiff for binding. This rule shall apply to cases submitted.

(c) If by leave of court the record be not printed, the plaintiff shall furnish seven legible and complete copies of the record, consisting of the typewritten pleadings, evidence, requests for special findings of facts and briefs, paged consecutively, five copies to be furnished to the court, one copy to the defendant, and one copy to be retained by the clerk. This rule shall apply to cases submitted.

(d) No case will be considered as ready for trial until this rule has been complied with.

72. (a) Parties may also submit on written stipulation on the blank forms printed therefor by the clerk any case, whether on any calendar or not, when briefs have been filed on both sides and the rules of the court have otherwise been complied with.

(b) Where cases are submitted without argument upon stipulation, the parties will note at the foot of the submission paper (by the date of filing) the briefs and stipulations, if any, upon which the case is intended to be submitted. Where this is not done, the case will not be regarded as having been submitted.

Stipulations

73. (a) Unless the same be in writing, duly signed and made part of the record in the case, no stipulation of counsel relative to any matter of proceeding in the case will be considered by the court. Such stipulation on behalf of the plaintiff shall be signed by the attorney of record and on behalf of the United States shall be signed by the Attorney General or Assistant Attorney General.

(b) This rule shall also apply to stipulations or agreements proposed in open court

New Trial

74. (a) Whenever it is desired to question the correctness or the sufficiency of the court's conclusions on its findings of fact or to amend the same, the complaining party shall file a motion which shall be known as a motion for a new trial. All grounds relied upon for any or all of said objects shall be included in one motion. After the court has announced its decision upon such motion, no other motion by the same party shall be filed unless by leave of court.

(b) Motions for new trial, except as provided by section 175 of the Judicial Code, shall be filed within 60 days from the time the judgment of the court is announced.

75. A motion for a new trial (other than under sec. 175 of the Judicial Code) must be founded upon one or more of the following grounds: First, error of fact; second, error of law; and third, newly discovered evidence.

76. A motion founded upon an error of fact must specify with minuteness the fact or facts which are regarded as erroneously found or erroneously omitted to be found by the court, with full references to the evidence which is relied upon to support the motion.

77. A motion founded upon error of law must specify with like minuteness the points upon which the court is supposed to have erred, with references to the authorities relied upon to support the motion.

78. A motion by the plaintiff upon the ground of newly discovered evidence will not be entertained unless it appears therein that the newly discovered evidence came to the

knowledge of the plaintiff, his attorney of record or counsel after the trial and before the motion was made; that it was not for want of due diligence that it did not sooner come to his knowledge; that it is so material that it would probably produce a different judgment if the new trial were granted; and that it is not cumulative.

Such motion must be accompanied by the affidavit of the plaintiff or his attorney of record, setting forth—

First. The facts in detail which the plaintiff expects to be able to prove, and whether the same are to be proved by witnesses or by documentary evidence.

Second. The name, occupation, and residence of each and every witness whom it is proposed to call to prove said facts.

Third. That the said facts were unknown to either the plaintiff or his attorney of record, and, if other counsel was employed at the trial, were unknown to such counsel until after the close of the trial.

Fourth. The reasons why the plaintiff, his attorney of record, or counsel, could not have discovered said evidence before the trial by due diligence.

79. Motion for a new trial must be accompanied by the brief of the moving party, a copy of which must be served upon the opposing party, who may file his brief in response thereto. The motion will be considered by the judges in conference upon such briefs and affidavits, if any, and will there be decided or sent to the law calendar for argument.

(a) All motions for new trial or for amendment of findings, and briefs thereon, and replies to such motions, exceeding four typewritten pages in length, must be printed before presentation for filing in the clerk's office unless, by order of court first obtained, the time for printing be extended.

Application for Transcript of Record

80. Upon the rendition of final judgment in any case, it shall be the duty of the clerk to furnish a certified transcript of the record in said case to the plaintiff or his attorney of record, or to the proper assistant attorney general, upon written application therefor stating, that the plaintiff or the United States, as the case may be, intends to file a petition, without unnecessary delay, for a writ of certiorari. The clerk shall notify the adverse party or his attorney of record of the application for such writ.

Examination and Withdrawal of Papers

81. (a) Any person having an interest wishing to examine any papers on file in the clerk's office will apply therefor to the clerk.

(b) No papers shall be permanently withdrawn or temporarily taken out of the clerk's office except on motion for good cause shown and upon such terms as the court or a judge may order.

Petitions in Departmental and Congressional Cases

82. (a) After the filing of a case transmitted to the court by the head of an executive department or by Congress or either House thereof, any person directly interested in the case may appear as a party therein by filing his petition, under oath, in accordance with rules 1 and 8. Such petition shall be filed within 6 months from the filing of the case in this court, and shall not be filed thereafter except by leave of court.

(b) Any person claiming to be indirectly interested in any question involved in such case may appear and be heard on the one side or the other, as his interest may require, upon filing a petition, under oath, setting forth specifically and concisely how he claims to be interested, and submitting the questions raised to the decision of the court.

(c) If no plaintiff directly or indirectly interested appears and files his petition within 6 months, the Attorney General, upon 30 days' notice to the parties who appear by the papers transmitted to be interested therein, may submit the case. Where such case was transmitted by the head of an executive department the court will proceed to try the case upon the statement made by the head of such department.

RULES OF PROCEDURE IN CASES BEFORE COMMISSIONERS APPOINTED UNDER ACT OF FEBRUARY 24, 1925, AND ACTS SUPPLEMENTARY THERETO

(Effective July 1, 1929)

1. When a case pending in the court has been referred to a commissioner and proof has been closed by both parties, the commissioner shall proceed to ascertain the facts from the evidence on file and shall make a report thereof to the court within a reasonable time.

2. If the proof has not been closed at the time of the reference, the commissioner shall notify either or both parties to produce such witnesses or evidence within such reasonable time and at such time and place as the commissioner may designate. The commissioner shall give reasonable notice to the party who has closed his evidence of the time and place of taking testimony by the adverse party. The time when and the place where the testimony is to be taken, when set by the commissioner to whom the case has been referred, shall be as binding upon the parties as though fixed by the court.

3. When requested by either party the commissioner may have witnesses summoned to appear before him at the time and place designated for the hearing. When the commissioner has reason to believe that there are other material witnesses and evidence which have not been procured by either party, he may, after reasonable notice to the parties, summon and examine such witnesses and procure such evidence and consider the same in connection with the proof submitted by the parties. When the commissioner has reason to believe that the case is being unnecessarily delayed by the failure of either or both parties to produce witnesses, the commissioner may fix a reasonable time in which said party delaying the same must close the testimony, and in no case shall less than 30 days be given by the commissioner in which to close the case.

Upon failure to comply with the notice served upon him by the commissioner, the commissioner shall report the case to the court for further instructions, whereupon the case shall be placed upon the law calendar and a rule issued upon the defaulting party, or to his attorney of record, to show cause (1) why he should not comply with the notice of the commissioner, (2) why the case should not be calendared for trial, or (3) why the case should not be dismissed.

4. If a witness, having been duly subpenaed and his fees tendered him, shall fail or refuse to appear and testify before a commissioner, the commissioner shall without delay report the same to the court.

5. The commissioner may rule upon the

materiality, relevancy, or admissibility of any evidence offered and the form of any question asked. If objection is made to the form of the question and said objection is sustained by the commissioner, the question shall be reframed to comply with the ruling of the commissioner thereon. If objection is made to the evidence sought to be elicited by the question on the ground that the same is incompetent, irrelevant, or immaterial, the commissioner may rule thereon, and in the event the ruling is adverse to the party offering the evidence, said party may except thereto and make an offer to prove, which offer shall consist of a succint statement of the evidence sought to be elicited by the question. When documentary evidence is offered, and an objection is made thereto on the ground that the same is incompetent, irrelevant, or immaterial, the commissioner may rule upon the same, and if the ruling is adverse to the party offering said evidence an exception may be taken to the same and the document or documents offered shall be marked by the reporter for identification, and by him filed with the transcript of the testimony and evidence in the case. Any exception taken by either party to the commissioner's ruling shall be noted at the time it is taken. The exceptions so taken will be considered by the court at the hearing on the report of the commissioner. Objections to questions or answers shall be explicitly but briefly stated.

6. Upon the closing of the evidence the commissioner shall proceed to ascertain the facts therefrom and make his report to the court, filing with his report the evidence adduced by the parties or procured by himself; and upon the filing of his report the clerk shall mail notice of that fact to the parties.

7. Each party may have 30 days from the date of the filing of the commissioner's report to file exceptions thereto, unless for cause shown the court extend the time. Each exception, at the end thereof, shall have appropriate references to the parts of the record relied upon for its support. The plaintiff may have 15 additional days from the date of the filing of exceptions within which to file briefs, and the defendant may have 15 days thereafter within which to file briefs. Upon the filing of the report of the commissioner the case shall be placed on the general calendar.

8. A commissioner, in any case referred to him, shall call upon the attorneys for the parties, requesting the names and residences of the witnesses they intend to examine; and the attorneys, so far as they are able, shall furnish such information to the commissioner without unnecessary delay.

9. Witnesses must be sworn or affirmed by the commissioner before any questions are put to them to tell the truth, the whole truth, and nothing but the truth relative to the cause in which they are to testify. When testimony is taken before a commissioner it shall not be necessary for the witness to sign the same.

10. The party whose evidence is to be taken shall furnish a competent and disinterested reporter to take down the evidence and transcribe the same. The reporter shall be sworn by the commissioner to well and truly take down and transcribe the questions propounded to and the answers given by the witnesses, and to do all other things required of the reporter during the examination of the witnesses. The reporter shall be under the control and jurisdiction of the commissioner.

11. The reporter shall transcribe all testimony on paper 8 inches wide by 10½ inches long, bind it on the left margin, and number the pages thereof consecutively. Each exhibit shall bear the caption and number of the case, the exhibit number, and the number of sheets in each exhibit. All exhibits should accompany and be filed with the transcript of the testimony. When practicable to do so the exhibits must be placed in consecutive order and attached to the transcript of evidence.

12. When a commissioner to whom a case has been referred is unable, from any cause, to take the testimony therein, said commissioner shall request another commissioner to act for him on the date and at the place agreed upon by the parties and the commissioner for taking the testimony. If a commissioner to whom a case has been referred is absent from Washington on official business or otherwise, and during his absence witnesses are available in Washington and their testimony may be taken by agreement of parties, then it shall be in accord with these rules for the parties to agree upon another commissioner to act in such emergency, or in the event that another commissioner is not available, then to take said testimony before a notary or commissioner of the court authorized to take depositions.

The depositions taken under this rule shall be filed with the commissioner to whom the case was referred by order of court and shall constitute a part or all of the record in the case before him unless, by order of court, a changed reference is made.

13. Witnesses, other than parties, shall, on motion made at the beginning of the hearing, be excluded from the hearing room during the time other witnesses are testifying, and when requested so to do the commissioner shall exclude the witnesses from the hearing room while other witnesses are testifying.

14. All hearings held before the commissioner shall be under the control and jurisdiction of the commissioner presiding at the hearing and any misconduct by attorneys, witnesses, or parties may be reported to the court by the commissioner.

15. These rules and the order of reference in the case define the procedure in cases before the commissioner, and in the event that a question of procedure arises at a hearing which is not covered by a rule or the order of reference the commissioner may exercise his discretion thereon, subject to the approval of the court.

INSTRUCTIONS TO REPORTERS AND FORMS FOR TAKING DEPOSITIONS

(Effective March 25, 1931)

The following are intended as a guide to reporters in preparing the transcripts of testimony taken and proceedings had before the commissioners of the United States Court of Claims.

Reporter

The reporter shall be sworn by the commissioner to well and truly take down and transcribe the questions propounded to and the answers given by the witnesses, and to do all other things required of him by the commissioner during the examination of the witnesses.

The reporter shall be under the control and jurisdiction of the commissioner.

Caption Page

There shall be stated on the caption page (1) the style of the cause in which the testimony is taken; (2) the place and date of its taking; (3) the name of the party by whom each witness is called; and (4) the name of the commissioner and the appearances of counsel. See "Form A," hereto attached.

Testimony

It shall appear in the transcript of the proceedings and testimony by whom each witness was examined and cross-examined, and the questions and answers shall be numbered consecutively throughout the transcript of testimony of each witness. At the top of each page shall appear the name of the witness, and the nature of his examination, such as "Roe direct," "Roe cross, "Roe redirect."

Any exceptions taken by either party to the ruling of a commissioner must be noted in the transcript of the testimony.

Preparation of Transcript

The reporter shall transcribe all testimony on nontransparent white paper 8 inches wide by 10½ inches long, bound on the left margin, and the pages shall be numbered consecutively.

It shall not be necessary for the witnesses to sign the transcripts of their testimony.

Exhibits

All exhibits offered by the party shall bear the caption and number of the case, the exhibit number, whether for plaintiff or defendant, and the number of sheets in each exhibit. All exhibits should accompany and be filed with the transcript of the testimony, and, when practicable, must be placed in consecutive order and attached to the transcript itself.

When documentary evidence is offered and an objection is made thereto on the ground that the same is incompetent, irrelevant, or immaterial, and the commissioner's ruling is adverse to the party offering said evidence, and an exception is taken to said ruling, the document offered shall be marked by the reporter for identification and by him returned with the transcript of the testimony and evidence in the case.

Certificate of Reporter

The reporter shall append to the transcript of the testimony a certificate similar to "Form B," hereto attached. Said certificate shall be signed by the reporter.

Index

There shall be placed before the transcript of testimony taken at each hearing an index of the names of the witnesses examined, citing the pages of the transcript where direct, cross, redirect, or recross examination of the respective witnesses began.

Also there shall appear, following said index of witnesses, an index of the exhibits in the case, first for the plaintiff and then for the defendant, with a brief statement of the nature of each of the exhibits with reference to the pages of the transcript where said respective exhibits were offered in evidence.

Fees of Reporters

The fees of the reporter shall be calculated upon the basis of 25 cents per folio of 100 words, and shall be paid by the party in whose behalf the testimony is taken. The minimum fee of a reporter in any hearing shall be $3.

Return of Transcript

Unless otherwise ordered by the commissioner, the reporter shall inclose the transcript of the testimony and the exhibits in a packet and transmit the same to the chief clerk of the United States Court of Claims, Washington, D. C., within 30 days unless the time be extended by the commissioner taking the testimony.

If the reporter's fees be not paid at the time of taking the testimony he mad endorse on the outside of the packet the name and number of the case and for which party the testimony was taken, also the gross amount of his unpaid fees and disbursements, and inclose a detailed statement thereof.

The packet when so endorsed will not be opened until the chief clerk has satisfactory information that the reporter's fees have been paid.

FORM A

In the United States Court of Claims
No. M-321
JOHN DOE, Plaintiff
v.
THE UNITED STATES, Defendant

Chicago, Ill.,
Wednesday, March 25, 1931—
10:00 o'clock a. m.

TESTIMONY FOR PLAINTIFF
(OR DEFENDANT)

The parties met, pursuant to notice of the commissioner, at the time above stated, in room 123 Federal Building, Chicago, Ill.

Present: Hon. A. B. See, commissioner; John A. Jones, Esq., counsel for plaintiff, and William B. Smith, Esq., counsel for defendant.

Mr. X. Y. Zee, a reporter, was thereupon sworn by the commissioner to well and truly take down and transcribe the questions propounded to and the answers given by the witnesses and to do all other things required of the reporter.

Pursuant to the order of reference by the honorable, the United States Court of Claims, in the above-entitled cause, testimony on behalf of the plaintiff (or defendant) was taken as follows:

RICHARD ROE, a witness produced on behalf of the plaintiff (or defendant), having been first duly sworn by said commissioner, was examined, and in answer to interrogatories, testified as follows:

1. Q. State your name, etc.
A. ——— ———.

2. Q. Have you (etc.).
A. ——— ———.

FORM B

CERTIFICATE OF REPORTER

I, X. Y. Zee, reporter, hereby certify that at the time and place aforesaid, after being duly sworn by the commissioner, I did well and truly take down and transcribe the questions propounded to and the answers given by said witnesses so called by plaintiff (or defendant); and that the foregoing record is a correct transcript of the proceedings and testimony so had therein.

In witness whereof I have hereunto set my hand this 25th day of March, 1931.

X. Y. Zee,
Reporter.
200 Equitable Building Chicago, Ill.

RULES OF THE SUPREME COURT OF THE UNITED STATES RELATING TO CERTIORARI

(Adopted by the Supreme Court June 8, 1925, Effective July 1, 1925. Amended June 7, 1926, 271 U. S. 693, 694.)

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Questions Certified by the Court of Claims

(See sec. 3 (a) of the act of February 13, 1925; 43 Stat. 939)

Where the Court of Claims shall certify to this court a question of law, concerning which instructions are desired for the proper disposition of a case, the certificate shall contain a statement of the case and of the facts on which such question arises. Questions of fact cannot be certified. The certification must be confined to definite and distinct questions of law.

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Judgments of the Court of Claims—Petitions for Review of Certiorari

(See sec. 3 (b) of the act of February 13, 1925; 43 Stat. 939)

1. In any case in the Court of Claims where both parties request in writing, at the time the case is submitted, that the facts be specially found, it shall be the duty of that court to make and enter special findings of fact as part of its judgment.

2. In any case in that court where special findings of fact are not so requested at the time the case is submitted, a party aggrieved by the judgment may, not later than twenty days after its rendition, request the court in writing to find the facts specially; and thereupon it shall be the duty of the court to make special findings of fact in the case and, by an appropriate order, to make them a part of its judgment. The judgment shall be regarded as remaining under the court's control for this purpose.

3. The special findings required by the two preceding paragraphs shall be in the nature of a special verdict, and shall set forth the ultimate facts found from the evidence, but not the evidence from which they are found.

4. A petition to this court for a writ of certiorari to review a judgment of the Court of Claims shall be accompanied by a certified transcript of the record in that court, consisting of the pleadings, findings of fact, judgment and opinion of the court, but not the evidence. The petition shall contain only a summary and a short statement of the matter involved and the reasons relied on for the allowance of the writ, but may be accompanied by a brief to conform to rules 26 and 27 as to form. The petition, brief, and record shall be filed with the clerk and 40 copies shall be printed under his supervision. The record shall be printed in the same way and upon the same terms that records on appeal are required to be printed. The estimated costs of printing shall be paid within 5 days after the estimate is furnished by the clerk and if payment is not so made the petition may be summarily dismissed. When the petition, brief, and record are printed the petitioner shall forthwith serve copies thereof on the respondent, or his counsel of record, and shall file with the clerk due proof thereof.

5. Within 20 days after the petition, brief, and record are served the respondent may file with the clerk 40 printed copies of an opposing brief, conforming to rules 26 and 27. Upon the expiration of that period, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, briefs, and record shall be distributed by the clerk to the court for its consideration.

The provision of subdivision (a) of paragraph 3 of rule 38 shall apply to briefs in opposition to petitions for writs of certiorari to review judgments of the Court of Claims.

6. The same general considerations will control in respect of petitions for writs of certiorari to review judgments of the Court of Claims as are applied to applications for such writs to other courts. See paragraph 5 of rule 38.

Courts of Equity of the United States

Promulgated November 4, 1912. (226 U. S. Appendix.) (Including addition of June 2, 1930.)

RULE 1

District Court Always Open for Certain Purposes—Orders at Chambers

The District Courts, as courts of equity, shall be deemed always open for the purpose of filing any pleading, of issuing and returning mesne and final process, and of making and directing all interlocutory motions, orders, rules and other proceedings preparatory to the hearing, upon their merits, of all causes pending therein.

Any district judge may, upon reasonable notice to the parties, make, direct and award, at chambers or in the clerk's office, and in vacation as well as in term, all such process, commissions, orders, rules and other proceedings whenever the same are not grantable of course, according to the rules and practice of the court.

RULE 2

Clerk's Office Always Open, Except Etc.

The clerk's office shall be open during business hours on all days, except Sundays and legal holidays, and the clerk shall be in attendance for the purpose of receiving and disposing of all motions, rules, orders and other proceedings which are grantable of course.

RULE 3

Books Kept by Clerk and Entries Therein

The clerk shall keep a book known as "Equity Docket," in which he shall enter each suit, with a file number corresponding to the folio in the book. All papers and orders filed with the clerk in the suit, all process issued and returns made thereon, and all appearances shall be noted briefly and chronologically in this book on the folio assigned to the suit and shall be marked with its file number.

The clerk shall also keep a book entitled "Order Book," in which shall be entered at length, in the order of their making, all orders made or passed by him as of course and also all orders made or passed by the judge in chambers.

He shall also keep an "Equity Journal," in which shall be entered all orders, decrees and proceedings of the court in equity causes in term time.

Separate and suitable indices of the Equity Docket, Order Book and Equity Journal shall be kept by the clerk under the direction of the court.

RULE 4

Notice of Orders

Neither the noting of an order in the Equity Docket nor its entry in the Order Book shall of itself be deemed notice to the parties or their solicitors; and when an order is made without prior notice to, and in the absence of, a party, the clerk, unless otherwise directed by the court or judge, shall forthwith send a copy thereof, by mail, to such party or his solicitor and a note of such mailing shall be made in the Equity Docket, which shall be taken as sufficient proof of due notice of the order.

RULE 5

Motions Grantable of Course by Clerk

All motions and applications in the clerk's office for the issuing of mesne process or final process to enforce and execute decrees; for taking bills pro confesso; and for other proceedings in the clerk's office which do not require any allowance or order of the court or of a judge shall be deemed motions and applications grantable of course by the clerk; but the same may be suspended, or altered, or rescinded by the judge upon special cause shown.

RULE 6

Motion Day

Each District Court shall establish regular times and places, not less than once each month, when motions requiring notice and hearing may be made and disposed of; but the judge may at any time and place on such notice, if any, as he may consider reasonable, make and direct all interlocutory orders, rulings and proceedings for the advancement, conduct and hearing of causes. If the public interest permits, the senior circuit judge of the circuit may dispense with the motion day during not to exceed two months in the year in any district.

RULE 7

Process, Mesne and Final

The process of subpoena shall constitute the proper mesne process in all suits in equity, in the first instance, to require the defendant to appear and answer the bill; and, unless otherwise provided in these rules or specially ordered by the court, a writ of attachment and, if the defendant cannot be found, a writ of sequestration, or a writ of assistance to enforce a delivery of possession, as the case may require, shall be the proper process to issue for the purpose of compelling obedience to any interlocutory or final order or decree of the court.

RULE 8

Enforcement of Final Decrees

Final process to execute any decree may, if the decree be solely for the payment of money, be by a writ of execution, in the form used in the District Court in suits at common law in actions of assumpsit. If the decree be for the performance of any specific act, as, for example, for the execution of a conveyance of land or the delivering up of deeds of other documents, the decree shall, in all cases, prescribe the time within which the act shall be done, of which the defendant shall be bound, without further service, to take notice; and upon affidavit of the plaintiff, filed in the clerk's office, that the same has not been complied with within the prescribed time, the clerk shall issue a writ of attachment against the delinquent party, from which, if attached thereon, he shall not be discharged, unless upon a full compliance with the decree and the payment of all costs, or upon a special order of the court, or a judge thereof, upon motion and affidavit, enlarging the time for the performance thereof. If the delinquent party cannot be found a writ of sequestration shall issue against his estate, upon the return of non est inventus, to compel obedience to the decree. If a mandatory order, injunction or decree for the specific performance of any act or contract be not complied with, the court or a judge, besides, or instead of, proceedings against the disobedient party for a contempt or by sequestration, may by order direct that the act required to be done, so far as practicable, by some other person appointed by the court or judge, at the cost of the disobedient party, and the act when so done shall have like effect as if done by him.

RULE 9

Writ of Assistance

When any decree or order is for the delivery of possession, upon proof made by affidavit of a demand and refusal to obey the decree or order, the party prosecuting the same shall be entitled to a writ of assistance from the clerk of the court.

RULE 10

Decree for Deficiency in Foreclosures, Etc.

In suits for the foreclosure of mortgages, or the enforcement of other liens, a decree may be rendered for any balance that may be found due to the plaintiff over and above the proceeds of the sale or sales, and execution may issue for the collection of the same, as is provided in Rule 8 when the decree is solely for the payment of money.

RULE 11

Process in Behalf of and Against Persons Not Parties

Every person, not being a party in any cause, who has obtained an order, or in whose favor an order shall have been made, may enforce obedience to such order by the same process as if he were a party; and every person, not being a party, against whom obedience to any order of the court may be enforced, shall be liable to the same process for enforcing obedience to such orders as if he were a party.

RULE 12

Issue of Subpoena—Time for Answer

Whenever a bill is filed, and not before, the clerk shall issue the process of subpoena thereon, as of course, upon the application of the plaintiff, which shall contain the names of the parties and be returnable into the clerk's office twenty days from the issuing thereof. At the bottom of the subpoena shall be placed a memorandum, that the defendant is required to file his answer or other defense in the clerk's office on or before the 20th day after service, excluding the day thereof; otherwise the bill may be taken pro confesso. Where there are more than one defendant, a writ of subpoena may, at the election of the plaintiff, be sued out separately for each defendant, or a joint subpoena against all the defendants.

RULE 13

Manner of Serving Subpoena

The service of all subpoenas shall be by delivering a copy thereof to the defendant personally, or by leaving a copy thereof at the dwelling house or usual place of abode of each defendant, with some adult person who is a member of or resident in the family.

RULE 14

Alias Subpoena

Whenever any subpoenas shall be returned not executed as to any defendant, the plaintiff shall be entitled to other subpoenas against each defendant until due service is made.

RULE 15

Process, by Whom Served

The service of all process, mesne and final shall be by the marshal of the district, or his deputy, or by some other person specially appointed by the court or judge for that purpose, and not otherwise. In the latter case, the person serving the process shall make affidavit thereof.

RULE 16

Defendant to Answer—Default—Decree Pro Confesso

It shall be the duty of the defendant, unless the time shall be enlarged, for cause shown, by a judge of the court, to file his answer or other defense to the bill in the clerk's office within the time named in the subpoena as required by Rule 12. In default thereof the plaintiff may, at his election, take an order as of course that the bill be taken pro confesso; and thereupon the cause shall be proceeded in ex parte.

RULE 17

Decree Pro Confesso to Be Followed by Final Decree—Setting Aside Default

When the bill is taken pro confesso the court may proceed to a final decree at any time after the expiration of thirty days after the entry of the order pro confesso, and such decree shall be deemed absolute, unless the court shall, at the same term, set aside the same, or enlarge the time for filing the answer, upon cause shown upon motion and affidavit. No such motion shall be granted, unless upon the payment of the costs of the plaintiff up to that time, or such part thereof as the court shall deem reasonable, and unless the defendant shall undertake to file his answer within such time as the court shall direct, and submit to such other terms as the court shall direct, for the purpose of speeding the cause.

RULE 18

Pleadings—Technical Forms Abrogated

Unless otherwise prescribed by statute or these rules the technical forms of pleadings in equity are abolished.

RULE 19

Amendments Generally

The court may at any time, in furtherance of justice, upon such terms as may be just, permit any process, proceeding, pleading or record to be amended or material supplemental matter to be set forth in an amended or supplemental pleading. The court, at every state of the proceeding, must disregard any error or defect in the proceeding which does not affect the substantial rights of the parties.

RULE 20

Further and Particular Statement in Pleading May Be Required

A further and better statement of the nature of the claim or defense, or further and better particular of any matter stated in any pleading, may in any case be ordered, upon such terms, as to costs and otherwise, as may be just.

RULE 21

Scandal and Impertinence

The right to except to bills, answers, and other proceedings for scandal or impertinence shall not obtain, but the court may, upon motion or its own initiative, order any redundant, impertinent or scandalous matter stricken out, upon such terms as the court shall think fit.

RULE 22

Action at Law Erroneously Begun as Suit In Equity—Transfer

If at any time it appear that a suit commenced in equity shall have been brought as an action on the law side of the court, it shall be forthwith transferred to the law side and be there proceeded with, with only such alteration in the pleadings as shall be essential.

RULE 23

Matters Ordinarily Determinable at Law, When Arising in Suit in Equity to Be Disposed of Therein

If in a suit in equity a matter ordinarily determinable at law arises, such matter shall be determined in that suit according to the principles applicable, without sending the case or question to the law side of the court.

RULE 24

Signature of Counsel

Every bill or other pleading shall be signed individually by one or more solicitors of record, and such signatures shall be considered as a certificate by each solicitor that he has read the pleading so signed by him; that upon the instruction laid before him regarding the case there is good ground for the same; that no scandalous matter is inserted in the pleading; and that it is not interposed for delay.

RULE 25

Bill of Complaint—Contents

Hereafter it shall be sufficient that a bill in equity shall contain, in addition to the usual caption:

First, the full name, when known, of each plaintiff and defendant, and the citizenship and residence of each party. If any party be under any disability that fact shall be stated.

Second, a short and plain statement of the grounds upon which the court's jurisdiction depends.

Third, a short and simple statement of the ultimate facts upon which the plaintiff asks relief, omitting any mere statement of evidence.

Fourth, if there are persons other than those named as defendants who appear to be proper parties, the bill should state why they are not made parties—as that they are not within the jurisdiction of the court, or cannot be made parties without ousting the jurisdiction.

Fifth, a statement of any prayer for any special relief pending the suit or on final hearing, which may be stated and sought in alternative forms. If special relief pending the suit be desired the bill should be verified by the oath of the plaintiff, or someone having knowledge of the facts upon which such relief is asked.

RULE 26

Joinder of Causes of Action

The plaintiff may join in one bill as many causes of action, cognizable in equity, as he may have against the defendant. But when there are more than one plaintiff, the causes of action joined must be joint, and if there be more than one defendant the liability must be one asserted against all of the material defendants, or sufficient grounds must appear for uniting the causes of action in order to promote the convenient administration of justice. If it appear that any such causes of action cannot be conveniently disposed of together, the court may order separate trials.

RULE 27

Stockholder's Bill

Every bill brought by one or more stockholders in a corporation against the corporation and other parties, founded on rights which may properly be asserted by the corporation, must be verified by oath, and must contain an allegation that the plaintiff was a shareholder at the time of the transaction of which he complains, or that his share had devolved on him since by operation of law, and that the suit is not a collusive one to confer on a court of the United States jurisdiction of a case of which it would not otherwise have cognizance. It must also set forth with particularity the efforts of the plaintiff to secure such action as he desires on the part of the managing directors or trustees, and, if necessary, of the shareholders, and the causes of his failure to obtain such action, or the reasons for not making such effort.

RULE 28

Amendment of Bill as of Course

The plaintiff may, as of course, amend his bill before the defendant has responded thereto, but if such amendment be filed after any copy has issued from the clerk's office, the plaintiff at his own cost shall furnish to the solicitor of record of each opposing party a copy of the bill as amended, unless otherwise ordered by the court or judge.

RULE 29

Defenses—How Presented

Demurrers and pleas are abolished. Every defense in point of law arising upon the face of the bill, whether for misjoinder, nonjoinder, or insufficiency of fact to constitute a valid cause of action in equity, which might heretofore have been made by demurrer or plea, shall be made by motion to dismiss or in the answer; and every such point of law going to the whole or a material part of the cause or causes of action stated in the bill may be called up and disposed of before final hearing at the discretion of the court. Every defense heretofore presentable by plea in bar or abatement shall be made in the answer and may be separately heard and disposed of before the trial of the principal case in the discretion of the court. If the defendant move to dismiss the bill or any part thereof, the motion may be set down for hearing by either party upon five days' notice, and if it be denied, answer shall be filed within five days thereafter or a decree pro confesso entered.

RULE 30

Answer—Contents—Counter-Claim

The defendant in his answer shall in short and simple terms set out his defense to each claim asserted by the bill, omitting any mere statement of evidence and avoiding any general denial of the averments of the bill, but specifically admitting or denying or explaining the facts upon which the plaintiff relies, unless the defendant is without knowledge, in which case he shall so state, such statement operating as a denial. Averments other than of value or amount of damage, if not denied, shall be deemed confessed, except as against an infant, lunatic or other person non compos and not under guardianship, but the answer may be amended, by leave of the court or judge, upon reasonable notice, so as to put any averment in issue, when justice requires it. The answer may state as many defenses, in the alternative, regardless of consistency, as the defendant deems essential to his defense.

The answer must state in short and simple form any counter-claim arising out of the transaction which is the subject matter of the suit, and may, without cross-bill, set out any set-off or counter-claim against the plaintiff which might be the subject of an independent suit in equity against him, and such set-off or counter-claim, so set up, shall have the same effect as a cross-suit, so as to enable the court to pronounce a final judgment in the same suit both on the original and cross-claims.

RULE 31

Reply—When Required—When Cause at Issue

Unless the answer assert a set-off or counter-claim, no reply shall be required without special order of the court or judge, but the cause shall be deemed at issue upon the filing of the answer, and any new or affirmative matter therein shall be deemed to be denied by the plaintiff. If the answer include a set-off or counter-claim, the party against whom it is asserted shall reply within ten days after the filing of the answer, unless a longer time be allowed by the court or judge. If the counter-claim is one which affects the rights of other defendants they or their solicitors shall be served with a copy of the same within ten days from the filing thereof, and ten days shall be accorded to such defendants for filing a reply. In default of a reply, a decree pro confesso on the counter-claim may be entered as in default of an answer to the bill.

RULE 32

Answer to Amended Bill

In every case where an amendment to the bill shall be made after answer filed, the defendant shall put in a new or supplemental answer within ten days after that on which the amendment or amended bill is filed, unless the time is enlarged or it is otherwise ordered by a judge of the court; and upon a default, the like proceedings may be had as upon an omission to put in an answer.

RULE 33

Testing Sufficiency of Defense

Exceptions for insufficiency of an answer are abolished. But if an answer set up an affirmative defense, set-off or counter-claim, the plaintiff may, upon five days' notice, or such further time as the court may allow, test the sufficiency of the same by motion to strike out. If found insufficient but amendable the court may allow an amendment upon terms, or strike out the matter.

RULE 34

Supplemental Pleading

Upon application of either party the court or judge, may, upon reasonable notice and such terms as are just, permit him to file and serve a supplemental pleading, alleging material facts occurring after his former pleading, or of which he was ignorant when it was made, including the judgment or decree of a competent court rendered after the commencement of the suit determining the matters in controversy or a part thereof.

RULE 35

Bill of Revivor and Supplemental Bills—Form

It shall not be necessary in any bill of revivor or supplemental bill to set forth any of the statements in the original suit, unless the special circumstances of the case may require it.

RULE 36

Officers Before Whom Pleadings Verified

Every pleading which is required to be sworn to by statute, or these rules, may be verified before any justice or judge of any court of the United States, or of any State or Territory, or of the District of Columbia, or any clerk of any court of the United States, or of any Territory, or of the District of Columbia, or any notary public.

RULE 37

Parties Generally—Intervention

Every action shall be prosecuted in the name of the real party in interest, but an executor, administrator, guardian, trustee of an express trust, a party with whom or in whose name a contract has been made for the benefit of another, or a party expressly authorized by statute, may sue in his own name without joining with him the party for whose benefit the action is brought. All persons having an interest in the subject of the action and in obtaining the relief demanded may join as plaintiffs, and any person may be made a defendant who has or claims an interest adverse to the plaintiff. Any person may at any time be made a party if his presence is necessary or proper to a complete determination of the cause. Persons having a united interest must be joined on the same side as plaintiffs or defendants, but when any one refuses to join, he may for such reason be made a defendant.

Any one claiming an interest in the litigation may at any time be permitted to assert his right by intervention, but the intervention shall be in subordination to, and in recognition of, the propriety of the main proceeding.

RULE 38

Representative of Class

When the question is one of common or general interest to many persons constituting a class so numerous as to make it impracticable to bring them all before the court, one or more may sue or defend for the whole.

RULE 39

Absence of Persons Who Would Be Proper Parties

In all cases where it shall appear to the court that persons, who might otherwise be deemed proper parties to the suit, cannot be made parties by reason of their being out of the jurisdiction of the court, or incapable otherwise of being made parties, or because their joinder would oust the jurisdiction of the court as to the parties before the court, the court may, in its discrtion, proceed in the cause without making such persons parties; and in such cases the decree shall be without prejudice to the rights of the absent parties.

RULE 40

Nominal Parties

Where no account, payment, conveyance, or other direct relief is sought against a party to a suit, not being an infant, the party, upon service of the subpoena upon him, need not appear and answer the bill, unless the plaintiff specially requires him to do so by the prayer; but he may appear and answer at his option; and if he does not appear and answer he shall be bound by all the proceedings in the cause. If the plaintiff shall require him to appear and answer he shall be entitled to the costs of all the proceedings against him, unless the court shall otherwise direct.

RULE 41

Suit to Execute Trust of Will—Heir as Party

In suits to execute the trusts of a will, it shall not be necessary to make the heir at law a party; but the plaintiff shall be at liberty to make the heir at law a party where he desires to have the will established against him.

RULE 42

Joint and Several Demands

In all cases in which the plaintiff has a joint and several demand against several persons, either as principals or sureties, it shall not be necessary to bring before the court as parties to a suit concerning such demand all the persons liable thereto; but the plaintiff may proceed against one or more of the persons severally liable.

RULE 43

Defects of Parties—Resisting Objection

Where the defendant shall by his answer suggest that the bill of complaint is defective for want of parties, the plaintiff may, within fourteen days after answer filed, set down the cause for argument as a motion upon the objection only; and where the plaintiff shall not so set down his cause, but shall proceed therewith to a hearing notwithstanding an objection for want of parties taken by the answer, he shall not at the hearing of the cause, if the defendant's objection shall then be allowed, be entitled as of course to an order to amend his bill by adding parties; but the court shall be at liberty to dismiss the bill, or to allow an amendment on such terms as justice may require.

RULE 44

Defeat of Parties—Tardy Objection

If a defendant shall, at the hearing of a cause, object that a suit is defective for want of parties, not having by motion or answer taken the objection and therein specified by name or description the parties to whom the objection applies, the court shall be at liberty to make a decree saving the rights of the absent parties.

RULE 45

Death of Party—Revivor

In the event of the death of either party the court may, in a proper case, upon motion, order the suit to be revived by the substitution of the proper parties. If the successors or representatives of the deceased party fail to make such application within a reasonable time, then any other party may, on motion, apply for such relief and the court, upon any such motion, may make the necessary orders for notice to the parties to be substituted and for the filing of such pleadings or amendments as may be necessary.

RULE 46

Trial—Testimony Usually Taken in Open Court—Rulings on Objections to Evidence

In all trials in equity the testimony of witnesses shall be taken orally in open court, except as otherwise provided by statute or these rules. The court shall pass upon the admissibility of all evidence offered as in actions at law. When evidence is offered and excluded, and the party against whom the ruling is made excepts thereto at the time, the court shall take and report so much thereof, or make such a statement respecting it, as will clearly show the character of the evidence, the form in which it was offered, the objection made, the ruling and the exception. If the appellate court shall be of opinion that the evidence should have been admitted, it shall not reverse the decree unless it be clearly of opinion that material prejudice will result from an affirmance. In which event it shall direct such further steps as justice may require.

RULE 47

Depositions—To Be Taken in Exceptional Instances

The court, upon application of either party, when allowed by statute, or for good and exceptional cause for departing from the general rule, to be shown by affidavit, may permit the deposition of named witnesses, to be used before the court or upon a reference to a master, to be taken before an examiner or other named officer, upon the notice and terms specified in the order. All depositions taken under a statute, or under any such order of the court, shall be taken and filed as follows, unless otherwise ordered by the court or judge for good cause shown: Those of the plaintiff within sixty days from the time the cause is at issue; those of the defendant within thirty days from the expiration of the time for the filing of plaintiff's depositions; and rebutting depositions by either party within twenty days after the time for taking original depositions expires.

RULE 48

Testimony of Expert Witnesses in Patent and Trade-Mark Cases

In a case involving the validity or scope of a patent or trade-mark, the district court may, upon petition, order that the testimony in chief of expert witnesses, whose testimony is directed to matters of opinion, be set forth in affidavit and filed as follows: Those of the plaintiff within forty days after the cause is at issue; those of the defendant within twenty days after plaintiff's time has expired; and rebuttal affidavits within fifteen days after the expiration of the time for filing original affidavits. Should the opposite party desire the production of any affiant for cross-examination, the court or judge shall, on motion direct that said cross-examination and any re-examination take place before the court upon the trial, and unless the affiant is produced and submits to cross-examination in compliance with such direction, his affidavit shall not be used as evidence in the cause.

RULE 49

Evidence Taken Before Examiners, Etc.

All evidence offered before an examiner or like officer, together with any objections, shall be saved and returned into the court. Depositions, whether upon oral examination before an examiner or like officer or otherwise, shall be taken upon questions and answers reduced to writing, or in the form of narrative, and the witness shall be subject to cross and re-examination.

RULE 50

Stenographer—Appointment—Fees

When deemed necessary by the court or officer taking testimony, a stenographer may be appointed who shall take down testimony in shorthand and, if required, transcribe the same. His fee shall be fixed by the court and taxed ultimately as costs. The expense of taking a deposition, or the cost of a transcript, shall be advanced by the party calling the witness or ordering the transcript.

RULE 51

Evidence Taken Before Examiners, Etc.

Objections to the evidence, before an examiner or like officer, shall be in short form, stating the grounds of objection relied upon, but no transcript filed by such officer shall include argument or debate. The testimony of each witness, after being reduced to writing, shall be read over to or by him, and shall be signed by him in the presence of the officer; provided, that if the witness shall refuse to sign his deposition so taken, the officer shall sign the same, stating upon the record the reasons, if any, assigned by the witness for such refusal. Objection to any question or questions shall be noted by the officer upon the deposition, but he shall not have power to decide on the competency or materiality or relevancy of the questions. The court shall have power, and it shall be its duty, to deal with the costs of incompetent and immaterial or irrelevant depositions, or parts of them, as may be just.

RULE 52

Attendance of Witness Before Commissioner, Master or Examiner

Witnesses who live within the district, and whose testimony may be taken out of court by these rules, may be summoned to appear before a commissioner appointed to take testimony, or before a master or examiner appointed in any cause, by subpoena in the usual form, which may be issued by the clerk in blank and filled up by the party praying the same, or by the commissioner, master or examiner, requiring the attendance of the witnesses at the time and place specified, who shall be allowed for attendance the same compensation as for attendance in court; and if any witness shall refuse to appear or give evidence, it shall be deemed a contempt of the court, which being certified to the clerk's office by the commissioner, master, or examiner, an attachment may issue thereupon by order of the court or of any judge thereof, in the same manner as if the contempt were for not attending, or for refusing to give testimony in, the court.

In case of refusal of witnesses to attend or be sworn or to answer any question put by the commissioner, master or examiner, or by counsel or solicitor, the same practice shall be adopted as is now practiced with respect to witnesses to be produced on examination before an examiner of said court on written interrogatories.

RULE 53

Notice of Taking Testimony Before Examiner, Etc.

Notice shall be given by the respective counsel or parties to the opposite counsel or parties of the time and place of examination before an examiner or like officer for such reasonable time as the court or officer may fix by order in each case.

RULE 54

Depositions Under Rev. Stat. Secs. 863, 865, 866, 867—Cross-Examination

After a cause is at issue, depositions may be taken as provided by sections 863, 865, 866 and 867, Revised Statutes. But if in any case no notice has been given the opposite party of the time and place of taking the deposition, he shall, upon application and notice, be entitled to have the witness examined orally before the court, or to a cross-examination before an examiner or like officer, or a new deposition taken with notice, as the court or judge under all the circumstances shall order.

RULE 55

Deposition Deemed Published When Filed

Upon the filing of any deposition or affidavit taken under these rules or any statute, it shall be deemed published, unless otherwise ordered by the court.

RULE 56

On Expiration of Time for Depositions, Case Goes on Trial Calendar

After the time has elapsed for taking and filing depositions under these rules, the case shall be placed on the trial calendar. Thereafter no further testimony by deposition shall be taken except for some strong reason shown by affidavit. In every such application the reason why the testimony of the witness cannot be had orally on the trial, and why his deposition has not been before taken, shall be set forth, together with the testimony which it is expected the witness will give.

RULE 57

Continuances

After a cause shall be placed on the trial calendar it may be passed over to another day of the same term, by consent of counsel or order of the court, but shall not be continued beyond the term save in exceptional cases by order of the court upon good cause shown by affidavit and upon such terms as the court shall in its discretion impose. Continuances beyond the term by consent of the parties shall be allowed on condition only that a stipulation be signed by counsel for all the parties and that all costs incurred therefore be paid. Thereupon an order shall be entered dropping the case from the trial calendar, subject to reinstatement within one year upon application to the court by either party, in which event it shall be heard at the earliest convenient day. If not so reinstated within the year, the suit shall be dismissed without prejudice to a new one.

RULE 58

Discovery—Interrogatories—Inspection and Production of Documents—Admission of Execution or Genuineness

The plaintiff at any time after filing the bill and not later than twenty-one days after the joinder of issue, and the defendant at any time after filing his answer and not later than twenty-one days after the joinder of issue, and either party at any time thereafter by leave of the court or judge, may file interrogatories in writing for the discovery by the opposite party or parties of facts and documents material to the support or defense of the cause, with a note at the foot thereof stating which of the interrogatories each of the parties is required to answer. But no party shall file more than one set of interrogatories to the same party without leave of the court or judge.

If any party to the cause is a public or private corporation, any opposite party may apply to the court or judge for an order allowing him to file interrogatories to be answered by any officer of the corporation, and an order may be made accordingly for the examination of such officer as may appear to be proper upon such interrogatories as the court or judge shall think fit.

Copies shall be filed for the use of the interrogated party and shall be sent by the clerk to the respective solicitors of record, or to the last known address of the opposite party if there be no record solicitor.

Interrogatories shall be answered, and the answers filed in the clerk's office, within fifteen days after they have been served, unless the time be enlarged by the court or judge. Each interrogatory shall be answered separately and fully and the answers shall be in writing, under oath, and signed by the party or corporate officer interrogated. Within ten days after the service of interrogatories, objections to them, or any of them, may be presented to the court or judge, with proof of notice of the purpose so to do, and answers shall be deferred until the objections are determined, which shall be at as early a time as practicable. In so far as the objections are sustained, answers shall not be required.

The court or judge, upon motion and reasonable notice, may make all such orders as may be appropriate to enforce answers to interrogatories or to effect the inspection or production or documents in the possession of either party and containing evidence material to the cause of action or defense of his adversary. Any part failing or refusing to comply with such an order shall be liable to attachment, and shall also be liable, if a paintiff to have his bill dismissed, and, if a defendant, to have his answer stricken out and be placed in the same situation as if he had failed to answer.

By a demand served ten days before the trial, either party may call on the other to admit in writing the execution or genuineness of any document, letter or other writing, saving all just exceptions; and if such admission be not made within five days after such service, the costs of proving the document, letter or writing shall be paid by the party refusing or neglecting to make such admission, unless at the trial the court shall find that the refusal or neglect was reasonable.

RULE 59

Reference to Master—Exceptional, Not Usual

Same in matters of account, a reference to a master shall be the exception, not the rule, and shall be made only upon a showing that some exceptional condition requires it. When such a reference is made, the party at whose instance or for whose benefit it is made shall cause the order of reference to be presented to the master for a hearing within twenty days succeeding the time when the reference was made, unless a longer time be specially granted by the court or judge; if he shall omit to do so, the adverse party shall be at liberty forthwith to cause proceedings to be had before the master, at the costs of the party procuring the reference.

RULE 60

Proceedings Before Master

Upon every such reference, it shall be the duty of the master, as soon as he reasonably can after the same is brought before him, to assign a time and place for proceedings in the same, and to give due notice thereof to each of the parties, or their solicitors; and if either party shall fail to appear at the time and place appointed, the master shall be at liberty to proceed ex parte, or, in his discretion, to adjourn the examination and proceedings to a future day, giving notice to the absent party or his solicitor of such adjournment; and it shall be the duty of the master to proceed with all reasonable diligence in every such reference, and with the least practicable delay, and either party shall be at liberty to apply to the court, or a judge thereof, for an order to the master to speed the proceedings and to make his report, and to certify to the court or judge the reason for any delay.

RULE 61

Master's Report—Documents Identified But Not Set Forth

In the report made by the master to the court, no part of any state of facts, account, charge, affidavit, deposition, examination or answer brought in or used before him shall be stated or recited. But such state of facts, account, charge, affidavit, deposition, examination or answer shall be identified and referred to, so as to inform the court what state of facts, account, charge, affidavit, deposition, examination or answer were so brought in or used.

RULE 62

Powers of Master

The master shall regulate all the proceedings in every hearing before him, upon every reference; and he shall have full authority to examine the parties in the cause, upon oath, touching all matters contained in the reference; and also to require the production of all books, papers, writings, vouchers and other documents applicable thereto; and also to examine on oath, viva voce, all witnesses produced by the parties before him, or by deposition, according to the acts of Congress, or otherwise, as here provided; and also to direct the mode in which the matters requiring evidence shall be proved before him; and generally to do all other acts, and direct all other inquiries and proceedings in the matters before him, which he may deem necessary and proper to the justice and merits thereof and the rights of the parties.

RULE 63

Form of Accounts Before Master

All parties accounting before a master shall bring in their respective accounts in the form of debtor and creditor; and any of the other parties who shall not be satisfied with the account so brought in shall be at liberty to examine the accounting party viva voce, or upon interrogatories, as the master shall direct.

RULE 64

Former Depositions, Etc., May Be Used Before Master

All affidavits, depositions and documents which have been previously made, read or used in the court upon any proceeding in any cause or matter may be used before the master.

RULE 65

Claimants Before Master Examinable by Him

The master shall be at liberty to examine any creditor or other person coming in to claim before him, either upon written interrogatories or viva voce, or in both modes, as the nature of the case may appear to him to require. The evidence upon such examinations shall be taken down by the master, or by some other person by his order and in his presence, if either party requires it, in order that the same may be used by the court if necessary.

RULE 66

Return of Master's Report—Exceptions —Hearing

The master, as soon as his report is ready, shall return the same into the clerk's office and the day of the return shall be entered by the clerk in the Equity Docket. The parties shall have twenty days from the time of the filing of the report to file exceptions thereto, and if no exceptions are within that period filed by either party, the report shall stand confirmed. If exceptions are filed, they shall stand for hearing before the court, if then in session, or, if not, at the next sitting held thereafter, by adjournment or otherwise.

RULE 67

Costs on Exceptions to Master's Report

In order to prevent exceptions to reports from being filed for frivolous causes, or for mere delay, the party whose exceptions are overruled, shall, for every exception overruled, pay five dollars costs to the other party, and for every exception allowed shall be entitled to the same costs.

RULE 68

Appointment and Compensation of Masters

The district courts may appoint standing masters in chancery in their respective districts (a majority of all the judges thereof concurring in the appointment), and they may also appoint a master pro hac vice in any particular case. The compensation to be allowed to every master shall be fixed by the district court, in its discretion, having regard to all the circumstances thereof, and the compensation shall be charged upon and borne by such of the parties in the cause as the court shall direct. The master shall not retain his report as security for his compensation; but when the compensation is allowed by the court, he shall be entitled to an attachment for the amount against the party who is ordered to pay the same, if, upon notice therefor, he does not pay it within the time prescribed by the court.

RULE 69

Petition for Rehearing

Every petition for a rehearing shall contain the special matter or cause on which such rehearing is applied for, shall be signed by counsel, and the facts therein stated, if not apparent on the record, shall be verified by the oath of the party or by some other person. No rehearing shall be granted after the term at which the final decree of the court shall have been entered and recorded, if any appeal lies to the Circuit Court of Appeals or the Supreme Court. But if no appeal lies, the petition may be admitted at any time before the end of the next term of the court, in the discretion of the court.

RULE 70

Suits By or Against Incompetents

Guardians ad litem to defend a suit may be appointed by the court, or by any judge thereof, for infants or other persons who are under guardianship, or otherwise incapable of suing for themselves. All infants and other persons so incapable may sue by their guardians, if any, or by their porchein ami; subject, however, to such orders as the court or judge may direct for the protection of infants and other persons.

RULE 70½

In deciding suits in equity, including those required to be heard before three judges, the court of first instance shall find the facts specially and state separately its conclusions of law thereon; and its findings and conclusions shall be entered of record and, if an appeal is taken from the decree, shall be included by the clerk in the record which is certified to the appellate court under Rules 75 and 76.

RULE 71

Form of Decree

In drawing up decrees and orders, neither the bill, nor answer, nor other pleadings, nor any part thereof, nor the report of any master, nor any other prior proceedings shall be recited or stated in the decree or order; but the decree and order shall begin, in substance, as follows: "This cause came to be heard (or to be further heard, as the case may be, at this term, and was argued by counsel; and thereupon, upon consideration thereof, it was ordered, adjudged, and decreed as follows, viz.:" (Here insert the decree or order.)

RULE 72

Correction of Clerical Mistakes in Orders and Decrees

Clerical mistakes in decree or decretal orders, or errors arising from any accidental slip or omission, may, at any time before the close of the term at which final decree is rendered, be corrected by order of the court or a judge thereof, upon petition, without the form or expense of a rehearing.

RULE 73

Preliminary Injunction and Temporary Restraining Orders

No preliminary injunction shall be granted without notice to the opposite party. Nor shall any temporary restraining order be granted without notice to the opposite party, unless it shall clearly appear from specific facts, shown by affidavit or by the verified bill, that immediate and irreparable loss or damage will result to the applicant before the matter can be heard on notice. In case a temporary restraining order shall be granted without notice, in the contingency specified, the matter shall be made returnable at the earlies possible time, and in no event later than ten days from the date of the order, and shall take precedence of all matters except older matters of the same character. When the matter comes up for hearing the party who obtained the temporary restraining order shall proceed with his application for a preliminary injunction, and if he does not do so the court shall dissolve his temporary restraining order. Upon two days' notice to the party obtaining such temporary restraining order, the opposite party may appear and move the dissolution or modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require. Every temporary restraining order shall be forthwith filed in the clerk's office.

RULE 74

Injunction Pending Appeal

When an appeal from a final decree, in an equity suit, granting or dissolving an injunction, is allowed by a justice or a judge who took part in the decision of the cause, he may, in his discretion, at the time of such allowance, make an order suspending, modifying or restoring the injunction during the pendency of the appeal, upon such terms, as to bond or otherwise, as he may consider proper for the security of the rights of the opposite party.

RULE 75

Record on Appeal—Reduction and Preparation

In case of appeal:

(a) It shall be the duty of the appellant or his solicitor to file with the clerk of the court from which the appeal is prosecuted, together with proof or acknowledgement of service of a copy on the appellee or his solicitor, a praecipe which shall indicate the portions of the record to be incorporated into the transcrips on such appeal. Should the appellee or his solicitor desire additional portions of the record incorporated into the transcript, he shall file with the clerk of the court his praecipe also within ten days thereafter, unless the time shall be enlarged by the court or a judge thereof, indicating such additional portions of the record desired by him.

(b) The evidence to be included in the record shall not be set forth in full, but shall be stated in simple and condensed form, all parts not essential to the decision of the questions presented by the appeal being omitted and the testimony of witnesses being stated only in narrative form, save that if either party desires it, and the court or judge so directs, any part of the testimony shall be reproduced in the exact words of the witness. The duty of so condensing and stating the evidence shall rest primarily on the appellant, who shall prepare his statement thereof and lodge the same in the clerk's office for the examination of the other parties at or before the time of filing his praecipe under paragraph a of this rule. He shall also notify the other parties or their solicitors of such lodgement and shall name a time and place when he will ask the court or judge to approve the statement, the time so named to be at least ten days after such notice. At the expiration of the time named or such further time as the court or judge may allow, the statement, together with any objections made or amendments proposed by any party, shall be presented to the court or the judge, and if the statement be true, complete and properly prepared, it shall be approved by the court or judge, and if it be not true, complete or properly prepared, it shall be made so under the direction of the court or judge and shall then be approved. When approved, it shall be filed in the clerk's office and become a part of the record for the purposes of the appeal.

(c) If any difference arise between the parties concerning directions as to the general contents of the record to be prepared on the appeal, such difference shall be submitted to the court or judge in conformity with the provisions of paragraph b of this rule and shall be covered by the directions which the court or judge may give on the subject.

RULE 76

Record on Appeal—Reduction and Preparation—Costs—Correction of Omissions

In preparing the transcript on an appeal, especial care should be taken to avoid the inclusion of more than one copy of the same paper and to exclude the formal and immaterial parts of all exhibits, documents and other papers included therein; and for any infraction of this or any kindred rule the Appelle Court may withhold or impose costs as the circumstances of the case and the discouragement of like infractions in the future may require. Costs for such an infraction may be imposed upon offending solicitors as well as parties.

If, in the transcrips, anything material to either party be omitted by accident or error, the Appellate Court, on a proper suggestion or its own motion, may direct the omission be corrected by a supplemental transcript.

RULE 77

Record of Appeal—Agreed Statement

When the questions presented by an appeal can be determined by the Appellate Court without an examination of all the pleadings and evidence the parties, with the approval of the district court or the judge thereof, may prepare and sign a statement of the case showing how the questions arose and were decided in the district court and setting forth so much only of the facts alleged and proved, or sought to be proved, as is essential to a decision of such questions by the Appellate Court. Such statement, when filed in the office of the clerk of the district court, shall be treated as superseding, for the purposes of the appeal, all parts of the record other than the decree from which the appeal is taken, and, together with such decree, shall be copied and certified to the Appellate Court as the record on appeal.

RULE 78

Affirmation in Lieu of Oath

Whenever under these rules an oath is or may be required to be taken, the party may, if conscientiously scrupulous of taking the oath, in lieu thereof make solemn affirmation to the truth of the facts stated by him.

RULE 79

Additional Rules by District Court

With the concurrence of a majority of the circuit judges for the circuit, the district courts may make any other and further rules and regulations for the practice, proceedings and process, mesne and final, in their respective districts, not inconsistent with the rules hereby prescribed, and from time to time after and amend the same.

RULE 80

Computation of Time—Sundays and Holidays

When the time prescribed by these rules for doing any acts expires on a Sunday or legal holiday, such time shall extend to and include the next succeeding day that is not a Sunday or legal holiday.

RULE 81

These Rules Effective February 1, 1913—Old Rules Abrogated

These rules shall be in force on and after February 1, 1913, and shall govern all proceedings in cases then pending or thereafter brought, save that where in any then pending cause an order has been made or act done which cannot be changed without doing substantial injustice, the court may give effect to such order or act to the extent necessary to avoid any such injustice.

All rules theretofore prescribed by the Supreme Court, regulating the practice in suits in equity, shall be abrogated when these rules take effect.

NOTICE

In Reference to Writs of Error

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Writ of Error in cases, civil and criminal, is abolished. All relief which could heretofore be obtained by Writ of Error shall hereafter be obtainable by appeal.

Section 2. That in all cases where an appeal may be taken as of right it may be taken by serving upon the adverse party or his attorney of record and by filing in the office of the clerk with whom the order appealed from is entered a written notice to the effect that the appellant appeals from the judgment or order or from a specified part thereof. No petition of appeal or allowance of an appeal shall be required: Provided, however, that the review of judgments of State Courts of last resort be petitioned for and allowed in the same form as now provided by law for writs to such courts.

(Passed the Senate January 14, 1928.)

U. S. District Court in Bankruptcy

EASTERN DISTRICT OF MICHIGAN

Amended to May 15, 1933

RULE 1

Interpretation and Enforcement

Efficiency in Bankruptcy Administration

(a) These rules shall at all times be interpreted and enforced in such manner as will avoid technical delays, permit prompt and speedy consideration and determination of all bankrupt matters, and promote efficient administration of estates in bankruptcy.

Matters Not Covered By Rules

(b) In matters not provided for by the Bankruptcy Act, the General Orders, or these Rules, the practice of the district court shall be subject to the special order of the judges.

RULE 2

Petitions—Schedules—Other Papers

Petitions and Schedules—Where Filed

(a) All petitions and schedules shall be filed with the clerk of the court at his office in the division of the district wherein the bankrupt has had his principal place of business, has resided or been domiciled for the greater part of the six months next preceding such filing.

Petitions and Schedules—Number of Copies

(b) Petitions in voluntary cases and schedules in both voluntary and involuntary cases shall be filed in triplicate and involuntary petitions in duplicate. In case an involuntary petition shall be filed against more than one alleged bankrupt, there shall also be filed one original petition for such additional bankrupt named therein.

Petitions—Contents

(c) Petitions shall contain a statement of the debtor's occupation; his present address, including street and number, if any; and the address, including street and number, of the principal place of business, if any, during the preceding six months, or the greater part thereof.

Petitions by Co-Partners

(d) Petitions by one or more of several co-partners shall state, in case a discharge from co-partnership debts is desired, whether there are firm assets. The petition shall further state whether the firm or any other partners not joining in the petition, are solvent or insolvent, and the place of residence or whereabouts of such other partners.

Petitions and Schedules—Uniform Blanks—List of Creditors—Oath

(e) Petitions in voluntary cases and schedules in both voluntary and involuntary cases shall be made on uniform blanks. The list of creditors to be set forth in the schedules, as required by subdivision 8 of section 7 of the Bankruptcy Act, or to be filed with the petition in voluntary cases, shall show their addresses by street and number, if known, and if unknown, that fact shall be stated. Involuntary petitions shall state each petitioner's correct name and address, and if a corporation, under the laws of what state it is incorporated and the location of its principal place of business. All involuntary petitions by creditors residing within the District shall be signed and verified bv such petitioning creditors in person and not bv their attorneys. Each page of the schedules shall be signed by the bankrupt or petitioning creditors, as the case may be. The oath under which the schedules are executed shall not be administered by the attorney for the bankrupt acting as a notary public.

Pleadings—Form—Verification—Endorsement

(f) Petitions, schedules and other papers filed shall be written, typewritten or printed upon white paper of the size of law cap, approximately thirteen inches long and eight inches wide. Pleadings setting up matters of fact shall be verified under oath as provided by law, and all pleadings shall be properly endorsed with the name of the court, the title of the cause, and if the parties appear by an attorney, his name and office address.

Amendments to Schedules—Form—Number of Copies—Filing

(g) Amendments to the schedules mav be allowed by the presiding referee on application by petition, verified in the same manner as the original schedules. Such petition shall set up the entire schedule page or pages affected by the amendment or amendments, and such page or pages shall be redrafted to include such amendment or amendments. The petition containing the amended schedules shall be made in triplicate and presented to the referee, who shall examine the same, and if in accordance with the facts, the Bankruptcy Act, General Order XI and these rules, shall enter an order allowing such amendments. In the event that the proposed amendment seeks to include names of creditors in addition to those set forth in the schedules, the first meeting of creditors has not been held, and there is time for adequate notice, the petition may be granted, and the additional creditors given notice. If such meeting has been held or there is not time for adequate notice, the petition for amendment shall be accompanied by a petition for an order, a proposed order and a sufficient number of copies thereof for service, directed to such additional creditors and requiring them to appear at a time stated and show cause, if any, why such amendment should not be made; and at the hearing such order shall be entered as the facts may warrant. A copy of the order allowing any amendment to the schedules, together with the triplicate amendment or amendments, shall be at once delivered by the referee to the clerk of the court.

RULE 3

Subpoena

Subpoena—Issue and Service

When an involuntary petition is filed in conformity with law, it shall be the duty of the clerk to issue a writ of subpoena as provided in section 18 of the Bankruptcy Act.

RULE 4

Filing Fees

Payment

At the time of filing a petition the sum of thirty dollars shall be paid to the clerk by the petitioner—being ten dollars for the clerk, fifteen dollars for the referee and five dollars for the trustee. In case the petition is dismissed where no reference has been made to the referee, it shall be the duty of the clerk, if there has been no adjudication, upon the order of the court, to return forthwith to the petitioner the amount deposited for the fees of the referee and trustee, respectively.

RULE 5

Pleadings in Involuntary Cases—Trials—References

When Pleadings to Conform to Equity Practice

(a) Prior to a denial of bankruptcy, the pleadings in involuntary cases on the part of the alleged bankrupt, or any of his creditors who oppose the adjudication, shall conform as nearly as may be to the pleadings of a defendant in an equitv action in the district court of the United States.

When Matter to Proceed As at Common Law—Jury Trial

(b) In case a jury trial is demanded, as provided by section 19 of the Act, the clerk shall enter an order as provided in official form No. 7, and in the issue may be noticed for trial at any of the regular terms of the district court. The matter shall proceed in all respects like the trial of any action at common law, except that the court may frame and send to the jury special questions presenting the issue to be tried. Upon the coming in of the verdict the judge may, in accordance therewith, make an adjudication either that the debtor is or is not a bankrupt. In case a jury trial is not demanded, the judge may determine the issues presented by the pleadings or he may refer the same, or any specified issue, to a special master to ascertain and report the facts and such special master shall report the evidence with finding of fact and conclusions of law separately stated.

Reference of Contested Cases to Referee

(c) Except where a jury trial has been properly demanded, contested cases may be referred to one of the referees as special master.

RULE 6

Proceedings to Dismiss Petition

(a) Every application to dismiss a voluntary or involuntary petition in bankruptcy, as contemplated in section 59g of the Bankruptcy Act, shall be made to the judges and shall be by petition in writing, signed and verified by the applicant or his attorney of record in the case, except on motion to dismiss for want of jurisdiction or other defects in the petition.

Order to Show Cause

(b) Upon the filing of such petition to dismiss, an order shall be entered of record in the case, fixing a reasonable time when creditors and all parties in interest may show cause, if any there be, before the judge, in opposition to such petition to dismiss, which order shall also provide for notice to be given in accordance with subdivision 8 of section 58a of the Bankruptcy Act. Such notice shall be given by the clerk, who shall make and file a certificate showing that it has been duly given. This shall not apply to motions to dismiss for want of jurisdiction or other defects in a petition.

RULE 7

Duties of the Clerk of the Court

Order of Reference

(a) The clerk shall mail or deliver to the referees a copy of the order of reference in each matter referred to them by the judge, which shall be accompanied by a memorandum showing the appointment of any receiver, attorney for receiver, or appraisers, if an appraiser is ordered prior to adjudication, and any other docket entries in connection with the case. Reports of appraisers prior to reference shall be made and filed in the manner prescribed by Rule 21 hereof.

Special References

(b) Special references may be made whenever necessary for the purpose of the supervision of an estate prior to adjudication. A special reference shall be made in each case where a receiver is appointed before adjudication, notifying the referee of the matter pending, the action of the court relative to such receiver and the amount of the bond fixed by the court.

Delivery of Blank Forms of Process

(c) The clerk shall cause to be prepared for the use of the referees, and deliver to them upon application, blank forms of process, summons and writs of subpoena properly attested with the signature of the clerk and seal of the court, as required by General Order III.

Forwarding of Proofs of Claims and Other Papers

(d) The clerk shall transmit to the referees all proofs of claims and other papers received by him subsequent to the reference to the referees, except such papers as are rquired to be filed in the office of the clerk.

Payment of Fees

(e) The clerk shall make payment of the fees of the clerk, referees and trustees as provided by Rule 4.

RULE 8

Referees—Appointment and Jurisdiction

Number of Referees—Jurisdiction

There shall be two referees in bankruptcy, appointed by this court, for the Eastern District of Michigan. Such referees shall have concurrent jurisdiction in both divisions of said district and references shall be made to them and to each of them in all cases. They shall be vested with the jurisdiction which, by the Bankruptcy Act and its amendments, the General Orders and these Rules, the court or judge may delegate to or confer upon them, and the said referees and each of them are empowered and authorized to do all acts, take all proceedings, make all orders and decrees and perform all duties so authorized to be delegated by said Act, said General Orders and these Rules, without special authority being conferred in each case.

RULE 9

Referees—Offices and Assistants

Deals With Office Space, Etc., of Referees

RULE 10

Referees—Powers and Duties

Time Devoted To Duties

(a) The said referees in bankruptcy shall devote their entire time to their duties as prescribd by the Bankruptcy Act, the General Orders and these Rules, and shall not engage in the private practice of law in any manner whatever.

Proceedings After Reference

(b) Upon the receipt of a copy of the order of reference in each case from the clerk of the court, all proceedings, except such as are required by the Act, by the General Orders and these Rules, to be had before the judges shall be had before the referees, or either of them.

Appointment of Receivers

(c) Upon receipt of a general reference of any proceeding in bankruptcy, the said referees, or either of them, shall forthwith take such action, including the appointment of a receiver, as may, in their judgment, be necessary for safeguarding the assets belonging to the estate.

Supervision of Receivers and Trustees In Bankruptcy

(d) Referees shall exercise a supervisory control over all receivers and trustees. They shall have authority to remove any receiver appointed by them and shall promptly report to the judge for removal any receiver appointed by him or any trustee who does not properly perform his duties as prescribed by the Bankruptcy Act, the General Orders, these Rules and the orders of the court based thereon. To make such supervisory control effective prior to adjudication, a special reference shall be made to the referees of each case where a receiver is appointed advising them of the matter pending, the appointment of such receiver and the amount of the bond.

Presiding at Meetings—Stenographic Record

(e) One of said referees in bankruptcy shall preside at all meetings of creditors and at all hearings in contested matters. A stenographic report of all proceedings shall be taken and preserved in the offices of the referees.

Evidence—Limitation of Examinations—Costs

(f) The referees shall, subject to review, pass and rule upon all matters pertaining to the admission and rejection of evidence in proceedings before them, and, if desired, shall note on the record all objections made to rulings thereon. Where testimony is excluded, they shall, if requested, note a brief statement, by the party offering the same, of the facts intended to be proved thereby. They shall limit the inquiry before them to relevant and material matters, and in case an examination is unnecessarily prolonged, may in their discretion, limit the time of such examination, or may impose costs, including the compensation of the reporter and other expenses, upon the party or parties responsible for the improper prolongation, and may require provision to be made for the payment of said costs.

Decisions

(g) On the entry of orders in contested matters reserved for decision, the referees shall forthwith forward to the parties in interest or to the attorneys of record appearing for said parties, respectively, copies of such orders, or give written notice of the entry thereof. They shall in like manner forward copies of such returns, or give written notice thereof, as may be made to the judges. Orders shall be settled, unless agreed to by counsel, upon four days' notice.

Service of Orders and Notices

(h) Except in those cases in which the manner of service is by law otherwise prescribed, the referees may designate any person to serve an order or notice issued by them and the return of service by the person so designated properly verified, shall be deemed and treated as sufficient to support any subsequent action or orders predicated thereon.

Docket—Card Index Control and Information Records

(i) The referees shall keep a docket of all matters to be heard by them. They shall also maintain a card-index control-record of each case referred to them and card-index information records.

Files

(j) It shall be the duty of said referees to maintain a separate file for each case referred to them and all papers belonging to each case shall be placed in such file. Papers in connection with each case, such as petitions, notices, orders and the like, shall be numbered consecutively as filed. A case calendar shall be kept which shall record, in chronological order, the entry of all such papers and all other proceedings in the case. All claims in each case shall be numbered in the order in which filed, and a list thereof, open to inspection, shall be kept as provided in General Order XXIV, and shall show the date of filing, the number of the claim, the name and address of the claimant, the amount of the claim, the name and address of the attorney or attorneys filing the same,, a notation showing priority if claimed, and if defects are apparent, entries relative thereto.

Custody of Records—Examination of Files

(k) The referees shall retain in their possession all papers and records in each case until finally closed, and shall not permit the taking from their offices of any of said papers or records, except upon the presentation by a receiver, trustee or attorney for such receiver or trustee of a formal petition showing the necessity for the removal of such papers or records and a proposed order granting the petition. Such order, if entered, shall specify the time when such papers or records shall be returned, which time may be extended upon proper showing. A receipt shall be taken for all papers or records so removed. The calendar and the list of claims shall not, in any case, be taken from the office of the referees. The referees shall require a written application for the examination of any file by any person, which shall be signed by the applicant and shall show the date of such examination, the way in which such applicant is interested and the character of the information desired. No file shall thus be examined without the written approval of a referee or an assistant authorized to act in his behalf.

Information—Printed Blanks—Acknowledgment of Claims—Reports To Creditors

(l) Information relative to pending matters shall be furnished to a reasonable extent, by correspondence or otherwise, to such persons as make inquiry of the referees. They shall make reports to creditors in estates having assets, transmitting information contained in the reports of trustees relative to the progress of the administration of estates. The referees shall acknowledge the receipt of proofs of claims forwarded by mail and advise creditors of any claims found defective. Uniform blanks necessary in the administration of estates shall be prepared and fursihed by them.

Books of Account—Financial Reports

(m) The referees shall keep books of account containing a proper record of the financial transactions of their offices and shall make report to the judges as provided by General Order XXVI, but such report shall be made monthly instead of semi-annually. The report shall show for each estate affected, for the current month, the fiscal year to date, and for the period of their appointment, with comparisons of the previous month, of the same month in the preceding year, and of the previous fiscal year to the corresponding date, the amount of compensation charged by said referees, including all fees and commissions; the amount of such compensation received by them and the amount of all unpaid charges for compensation; the amount of clerical and traveling expenses charged, received and disbursed, and the amount of all unpaid charges for expenses; the amount of the indemnity fund; a statement of the charges for expenses held in suspense pending payment; and a statement of unclaimed refunds, unclaimed dividends, and undistributed balances deposited in the registry of the court. It shall also show the amounts of all funds in the custody of the several bankruptcy depositories; a cash and property account showing the amount of cash in the emergency expense fund, the number and titles of the law books, and the articles of equipment in their said offices and the value of such law books and equipment; the original requisitions for the purchase of supplies, law books and equipment as approved by the judges; a list of purchases made during the month, showing the amounts paid therefor and the requisition numbers; and brief data relative to the number of cases closed, the length of time of administration, percentages showing the cost of administration compared with the amounts realized from the liquidation of assets, and percentages in connection with the amounts paid to creditors, to bankrupts by way of exemptions, and to reclamation petitioners; and such other information as may be deemed necessary. Such report shall be upon printed forms provided for the purpose, and original vouchers for all expenditures shall accompany said report. The referees shall have an annual audit made of said books of account, and report the same to the judges of the court.

Transmittal of Documents To Clerk

(n) It shall be the duty of the referees to transmit to the clerk forthwith all orders of adjudication made during the absence of the judges, all amendments to schedules and the orders allowing them, and all bonds of receivers and trustees, and the orders approving such bonds, within five days of the approval thereof.

Reports of Pending Cases

(o) Referees shall make a report to the court, as of the thirty-first day of January and the thirty-first day of July in each year, of all pending cases which have been before them more than twelve months. Such report shall contain in each instance the title and number of the case, the date when it was referred, a concise statement showing any substantial proceedings therein and the reason it has not been closed.

Certifying Closed Cases

(p) Upon the closing of a case, the referees shall promptly transmit to the clerk of the court the file therein, together with a certificate showing that such case is closed.

Reports To District Attorney

(q) It shall be the duty of the referees to report to the United States District Attorney any apparent criminal violations of the provisions of the Bankruptcy Act coming to their knowledge.

Court Property

(r) The referees shall have no personal ownership in the funds or other property of the bankruptcy court. They shall be custodians of the cash, furniture, equipment, books and other property belonging to the court, and have a right to their use for the purposes of the court; shall keep such property in repair and maintain it; and keep a continuing inventory which shall be revised on June thirtieth of each year by the elimination of obsolete property and the application of proper rates of depreciation. A property account shall be included in the monthly financial report made by the referees to the judges as herein provided. All court funds and property shall be promptly turned over by the referees to their successors in office to be held and used as herein prescribed.

Interest In Business of the Court

(s) The referees shall not, upon assuming office, acquire any financial interest other than current in the business of the court, nor, upon the termination of their tenures of office, shall they have any right, title or interest in the fees, commissions and unpaid items of expense then outstanding upon their books of account.

RULE 11

Receivers

Application For Appointment

(a) Applications for the appointment of receivers shall in all cases be by petition whether before or subsequent to adjudication.

Notice—Service

(b) Upon an application for the appointment of a receiver in bankruptcy prior to adjudication, notice thereof shall be given by the applicant to the bankrupt and to intervening petitioners, if any, or their attorneys, unless it be made to appear to the court, by the petition or affidavit showing the facts, that the service of such notice is impracticable, or would result in financial loss to the creditors. The notice shall state the name of the applicant and the day, hour and place of hearing.

Notice To Petitioning Creditors By Intervening Creditors

(c) No application for the appointment of a receiver on behalf of intervening creditors shall be heard until notice of the application has been given to the attorney for the petitioning creditors.

(d) It shall be made to appear to the satisfaction of the court in each case that the notice required by paragraph (b) hereof has been duly given, or that it is impracticable or would result in financial loss to creditors.

Appearances

(e) No attorney shall be heard for or against the petition for the appointment of a receiver until he has filed his appearance in writing, which shall state the name and address of each person whom he represents and the nature and amount of the claim of such person.

Appointment By Referees

(f) A receiver appointed by a referee to take charge of the property of a bankrupt shall, as provided in General Order XL, be deemed to be a mere custodian of such property, unless an order shall be entered by the referee enlarging his duties. Such order may provide that the receiver shall do all things necessary for the preservation of the assets belonging to any estate, for the insuring thereof against loss by fire or theft, for the immediate collection and marshaling of such assets when scattered, for the removal and storage of assets when necessary to conserve the estate and save expense, for the supervision of the taking of an immediate inventory and appraisal, for the preparation of assets for prompt sale, for the supervision of such sale until a trustee is elected and has qualified, and, when especially authorized, for the conducting of the business of the bankrupt.

Qualification

(g) The receiver, immediately upon his appointment, shall qualify by filing his bond in the amount named in the order appointing him. If the appointment is made by a judge, the bond shall be filed with the clerk of the court, but if the appointment is made by a referee, it shall be filed with the referees, who shall make a record of such filing and forward the bond forthwith to the clerk.

Employment of Attorneys

(h) Receivers shall not employ any attorney or counsel except as provided in Rule 13.

Taking Possession of Assets—Preserving Records

(i) The receiver shall immediately take charge of the assets of the bankrupt; and when necessary place new locks on the premises or employ a watchman, or both; secure insurance; and, unless otherwise ordered, remove all books and records from the place of business of the bankrupt and preserve them for future reference. He shall make, in duplicate, a list of all such books and records, preserve one copy in his files, and deliver, with his recipt attached, the other copy to the bankrupt.

Making Inventory and Appraisal

(j) The receiver, upon his appointment and qualification, shall, if so ordered by the court, proceed without delay to have made an inventory and appraisal of the property coming into his possession in the manner prescribed by Rule 21, and shall, immediately upon its completion, file the same with the clerk of the court before adjudication and with the referees after adjudication. In the event of adjudication, the clerk shall forward to the referees two copies of the inventory and appraisal filed with him.

Segregation of Exempt Property

(k) The receiver shall segregate property claimed by the bankrupt as exempt as prescribed by Rule 22.

Supervising Sales

(l) Unless otherwise directed by the court, the receiver, upon filing the inventory and appraisal, shall therewith present a petition and proposed order for the sale of the assets; provided, that if for any reason such sale, in the opinion of the receiver, should be deferred, he shall file a written report recommending the postponement thereof and the reason therefor. Upon entry of an order of sale, the receiver shall proceed immediately to arrange for such sale as provided in Rule 23, shall supervise the sale and make a report thereof to the court for confirmation.

Conducting Business of Bankrupt

(m) In cases where it may appear to the best interest of the estate to sell the business of the bankrupt as a "going concern," or for any other good reason, the receiver, upon proper showing and upon presentation to the referees of a petition and proposed order, may be authorized to conduct said business, making report to the referees from time to time as shall be required.

Deposits

(n) All funds coming into the possession of the receiver shall be deposited by him immediately in one of the official depositories prescribed by Rule 18, in a savings account therein, reserving for checking account only such sums as may be immediately or currently necessary for administration expenses. Whenever necessary he may, with the approval of one of the referees, transfer funds from savings account to checking account but shall as far as possible make such transfers only on interest-paying dates.

Disbursements

(o) Disbursements by the receiver shall be made only upon order of the court and in accordance with the provisions of Rule 18.

Reports

(p) The receiver shall prepare and file at such times as the court may direct in the order of appointment and at the first meeting of creditors, detailed reports of his acts as such receiver, together with an itemized list of all receipts and disbursements, if any, showing in connection with each check the date, number, name of payee, amount, purpose of expenditure, and the balance remaining on hand in the official depository to be turned over to the trustee. In case the business has been operated by the receiver, moneys expended for this purpose shall be shown separately from those expended for purely administrative purposes. His final report and account shall be duly verified and shall be filed within ten days after the qualification of the trustee, unless the time shall be extended by order of the court. Uniform blanks for such reports shall be furnished by the referees.

Surrender of Assets and Records To Trustee

(q) Immediately upon the appointment and qualification of a trustee, the receiver shall deliver to such trustee all the money and property and all books of account, records and papers of the bankrupt in the receiver's possession, together with a copy of his final report and account, taking the trustee's receipt therefor.

Discharge

(r) The duties of the receiver shall cease, and he shall be deemed discharged upon the surrender of all assets of the bankrupt estate in his possession and the approval of his final report and account.

Accountability For Unwarranted Delays, Expense or Damage

(s) The receiver shall be held accountable for any unwarranted delays in the administration of an estate under his receivership due to causes within his control, and for any unwarranted expense incurred or damage to property sustained; and, in the discretion of the referee acting in the matter, the fees of a receiver may be reduced or disallowed altogether on account of such delay, expense or damage.

Removal From Office

(t) If any receiver neglects to make reports to the court, improperly conducts the receivership, or is guilty of unreasonable delay in the performance of his duties, he may be removed by the judges, or one of them, or by one of the referees if appointed by a referee. The procedure for such removal shall be the entry and service of an order to show cause and a hearing duly had thereon.

Certain Agreements Prohibited

(u) Agreements between receivers and any other persons, including their attorneys, by which receivers are to share their fees with any other person are prohibited. The making of such agreements, or the sharing of such fees, shall be deemed sufficient ground for an order to show cause why a receiver should not be removed from office, and conduct warranting the forfeiture of all fees which might be paid to any person involved in such agreement or transaction. It shall also be deemed contempt of court, and all persons so involved shall be subject to punishment for such contempt.

RULE 12

Trustees

Appointment

(a) A trustee shall be appointed in no-asset as well as in asset cases for the purpose of conducting examinations, making investigations, and making reports to the court. In such cases, the trustee shall be allowed the sum of five dollars ($5.00) for clerical and other expenses, to be deposited by the bankrupt as part of the indemnity to be paid by him for the expenses of the proceeding.

Qualification

(b) The trustee, immediately upon his appointment, shall qualify by filing his acceptance of the trust and his bond in the amount named in the order making or approving his appointment and the notice thereof. A personal surety bond with at least two sureties may be accepted in amounts up to one hundred dollars if approved by one of the referees. In case a receiver has been appointed and a surety company bond has been furnished, the trustee shall obtain his bond from the same surety company which furnished the receiver's bond, and be allowed proper rebate on the premium for the receiver's bond to be applied on the premium of the bond of the trustee.

Employment of Counsel

(c) The trustee may, pursuant to General Order XLIV, be authorized to employ an attorney or attorneys to assist him, upon presentation to the referees of a petition and a proposed order. No fees will be allowed to any attorney whose employment has not been authorized by the entry of a proper order.

Filing of Certified Copy of Order of Adjudication

(d) The trustee, as required by section 47c of the Bankruptcy Act, shall, within thirty days after the adjudication (or if a trustee shall not be appointed within such period, immediately upon his appointment and qualification), file in the office of the register of deeds in each county where the bankrupt owns real estate not exempt from execution, a certified copy of the order of adjudication.

Conduct of Business

(e) In cases where it may appear advantageous to the estate to dispose of the business of the bankrupt as a "going concern," or for any other good reason, the trustee, upon proper showing and upon presentation to the referees of a petition and a proposed order, may be authorized to conduct the business for a limited period.

Delivery To Purchaser of Assets

(f) If the assets of an estate in bankruptcy have been sold prior to his appointment, the trustee, immediately upon his qualification and after the confirmation of the sale, shall make proper conveyance by bill of sale or deed or otherwise. He shall also make proper conveyance of any assets he may sell during his own administration.

Making Inventory and Appraisal

(g) The trustee shall, as required by General Order XVII and Rule 21, proceed immediately to have an inventory and appraisal made of all of the property of the bankrupt coming into his possession, unless such inventory and appraisal have already been made by a receiver, in which event the trustee shall examine such inventory, make any changes therein that may be necessary and adopt it as the inventory required by the General Order and Rule 21. If there are any modifications of the inventory and appraisal already on file, he shall file a report with the referees showing such modifications in detail, and a summary showing the total value of the assets as increased or decreased. In the event that such a report is not filed within five days after the mailing by the referees of the notice of the appointment of the trustee, he shall be deemed to have accepted the inventory and appraisal as of record.

Report of Exemptions

(h) If the bankrupt has claimed a portion of the assets as his legal exemptions, the trustee shall, within five days after receiving the notice of his appointment, make a report to the referees as provided in General Order XVII, showing the property claimed as exempt, the appraised value thereof, and whether the bankrupt has elected to take a pro-rata amount is cash in lieu of goods. The trustee may file objections on behalf of creditors to the allowance of such exemptions.

Liquidation of Assets

(i) The trustee shall reduce to cash, as rapidly as possible, all property of the bankrupt, both real and personal, including all intangible assets, such as accounts and bills receivable, choses in action, unpaid stock subscriptions, stocks, bonds, surrender value of life insurance policies passing to the trustee and the like, and may be authorized by one of the referees upon the presentation of a petition reciting the facts and reasons for such action and a proposed order thereon, to institute proceedings in other courts for this purpose.

Sales

(j) Unless a sale has already been had, or unless there is some good reason why the sale should be deferred, the trustee shall proceed to an immediate sale of the assets belonging to the estate, and shall present to the court a petition and proposed order therefor.

Deposits

(k) All funds coming into the possession of the trustee shall be deposited by him immediately in one of the official depositories of bankruptcy funds designated in Rule 18, in a savings account therein, reserving for checking account only such sums as may be immediately or currently necessary for administration expenses. Whenever necessary he may, with the approval of one of the referees, transfer funds from savings account to checking account but shall as far as possible make such transfers only on interest-paying dates. When the first deposit is made, the trustee shall present to the depository a certificate in blank furnished by the referees, which certificate shall be filled out by said depository to show the opening of the account and shall be forwarded to the referees for filing.

Disbursements

(l) Disbursements by the trustee shall be made only upon order of the court, and in the manner provided by General Order XXIX and Rule 18.

Dividends

(m) When in the opinion of the trustee the amount of money in an estate is sufficient to pay a dividend to creditors as provided by Rule 26, he shall recommend to the referees that a dividend be declared. Upon the declaration thereof, the trustee shall issue his checks in payment within ten days after the receipt by him of the dividend sheet furnished to him by the referees, and forward such checks to the referees for countersignature and entry of record.

Claims

(n) Prior to the payment of any dividend, it shall be the duty of the trustee carefully to scrutinize each and every claim filed against an estate and to file objections to any claims, in whole or in part, which do not appear to be valid, serving a copy of such objections with a notice of hearing thereon upon the claimant or claimant's attorney. The payment of dividends on any claims so objected to shall be withheld pending the hearing and determination of such objections.

Concealed Assets and Preferences

(o) It shall be the duty of the trustee to examine, or cause to be examined, the books and records of the bankrupt to determine as far as possible the correctness of the schedules filed by said bankrupt, and also to determine, as far as possible, whether or not the bankrupt has concealed assets from his creditors or has made preferential payments. He may bring the bankrupt and other witnesses before either of the referees, as provided by the Bankruptcy Act, for such examinations as he or his attorneys may desire, and may make such other investigation as may be necessary; provided, however, that before incurring any unusual expense in connection with such investigation, he shall first secure the approval of one of the referees upon the presentation of a petition and a proposed order thereon.

Reclamations

(p) Any reclamation petition filed in an estate shall be investigated by the trustee or his attorney to determine whether or not the same should be granted, and in case said petition is contested, an answer shall be filed as provided in Rule 24. In an uncontested case, the trustee shall note upon any proposed order granting such reclamation his consent thereto.

Opposition to Discharge

(q) The trustee may oppose, in the manner prescribed by General Order XXXII, the granting of a discharge to a bankrupt upon being authorized so to do as provided in Rule 28.

Current Reports

(r) The trustee shall, as provided by law, make his first report on the condition of the estate thirty days after his acceptance of the trust and shall make subsequent reports every sixty days thereafter. Each report shall be verified by affidavit and shall set up in detail the moneys received and deposited since the date of the previous report, if one has previously been made, showing the number of each check, the name of the person to whom drawn, the purpose for which drawn and the amount, the balance at the time of the previous report, if any, and the balance remaining in the official depository as of the date of the report. The report shall also contain a complete statement of each and every matter in connection with said estate, including all pending examinations, investigations, adjustments, settlements and litigation; shall show what has been accomplished, what has not been completed, why it was not finished, and what further time will be required to dispose of it; and shall state whether the estate is ready to be closed, if not, on about what date it will be ready for final disposition; and any other information in connection with the administration of the estate of interest to creditors.

Final Report

(s) The trustee, prior to the final meeting of creditors, shall file with the referees a final report duly verified by affidavit as prescribed in the official forms, stating whether the assets have been entirely liquidated, and if not, containing a description of any assets not reduced to cash with his recommendation for their disposition, whether by sale at the final meeting of creditors, abandonment, or otherwise. Such report shall also set forth a summary of the history of the administration and include a financial statement showing—

(1) An itemized account of money received by the trustee from all sources;

(2) An itemized account of all disbursements made to date;

(3) The balance on hand in the official depository;

(4) A detailed report of his action in connection with the examination and allowance of all claims filed in the case;

(5) The amount of all secured debts;

(6) The amount of debts having priority;

(7) A list of unpaid administration expenses.

Uniform blanks for the making of trustees' reports, both current and final, shall be furnished by the referees.

Attendance at Final Meeting of Creditors

(t) The trustee shall attend before the referee at the time and place fixed for the final meeting of creditors, and, if called upon to do so, shall offer any evidence or explanation required of him, regarding his conduct of the administration of the estate. At the time and place fixed for such final meeting, the referee shall audit said final account and, if it appears that the trustee has fairly and honestly administered such estate and duly accounted for all property or money coming into his hands, in accordance with law, shall approve such account.

Final Distribution

(u) The trustee shall, without delay, issue his checks disbursing the funds remaining in the estate in accordance with the final order of distribution, affix his signature to the trustee's certificate attached to said order showing compliance therewith and return the order, together with the checks, to the referees.

Discharge of Trustee

(v) Upon the entry of the referee's certificate of payment attached to the final order of distribution, the duties of the trustee shall cease and his bond be cancelled.

Accounability for Unwarranted Delays, Expense or Damage

(w) The trustee shall be held accountable for any unusual delays in the administration of an estate under his trusteeship, due to causes within his control, and for any unwarranted expense incurred or damage to property sustained, and, in the discretion of the referee acting in the matter, the fees of a trustee may be reduced or disallowed altogether on account of such delay, expense or damage.

Certain Agreements Prohibited

(x) Agreements between trustees and any other persons, including their attorneys, by which trustees are to share their fees with any other persons are prohibited. The making of such agreements, or the sharing of such fees, shall be deemed sufficient ground for an order to show cause why a trustee should not be removed from office, and conduct warranting the forfeiture of all fees which might be paid to any person involved in such agreement or transaction. It shall also be deemed contempt of court, and all persons so involved shall be subject to punishment for such contempt.

Removal From Office

(y) If any trustee neglects to make reports, or to pay dividends, or unreasonably delays in any respect the prompt settlement of the estate, or if there is any other reason for which the trustee should be removed, one of the referees shall, as provided in General Order XVII, make an order returnable before him requiring the trustee to show cause why he should not be removed from office.

Preservation of Records

(z) Upon the closing of an estate, all records, books and papers coming into the possession of the trustee may be returned to the bankrupt upon request, or in the absence of such a request, may, without order of the court, be destroyed after the expiration of a period of one year.

RULE 13

Attorneys

Petition for Employment

(a) The receiver or trustee shall not employ any attorney or counsel without having obtained leave of the court therefor upon petition, as provided in General Order XLIV.

Payment for Necessary Services and Expenses Only

(b) No attorney or counsel for such receiver or trustee shall be allowed compensation out of the estate except for professional services necessarily and actually rendered nor reimbursement except for expenses necessarily and actually incurred and paid.

Petition for Allowance

(c) When an attorney shall be entitled to the allowance of compensation for services actually rendered he shall file with the referee a petition for the allowance, as provided in General Order XLII, together with the affidavit therein required.

Amount of Compensation

(d) The following factors shall be taken into consideration in determining the allowance of fees of attorneys:

1. The amount of work done,
2. The length of time employed,
3. The difficulties or intricacies of the problems presented,
4. The results accomplished,
5. The amount involved in connection with the services rendered, and
6. The size of the estate.

In the average estate normally administered the compensation allowed shall be approximately as follows:

To the attorney for the bankrupt, from fifty to seventy-five dollars for preparing and filing the petition and schedules and twenty-five dollars for attending the first meeting of creditors;

To the attorney for the petitioning creditors in uncontested cases, from one hundred to one hundred fifty dollars for filing the petition and incidental services and twenty-five dollars for attending the first meeting of creditors;

To the attorney for the receiver, if any, from twenty-five to fifty dollars; and

To the attorney for the trustee from fifty to one hundred dollars.

When computing the allowance on the basis of time and depending on the importance of the case, the following schedule shall be a basis in making the determination:

Office Work—Per hour: from five to ten dollars.
—Per day: not less than twenty-five dollars, nor exceeding seventy-five dollars.

Court Work—Local: not less than fifty dollars nor more than one hundred dollars.
—Other cities: not less than fifty dollars nor more than one hundred fifty dollars.

The referees shall, in making allowances to attorneys, take into consideration any special circumstances or conditions, the purpose of this rule being to furnish a guide to practitioners and to the court in determining proper allowances to attorneys, having in view at all times the interests of creditors.

Hearing on Allowances—Allowances on Account

(e) An allowance shall be made for the services of an attorney only upon petition, of which all of the creditors whose claims have been filed shall have had at least ten days' notice in writing; provided, that partial allowances, subject to adjustment at the final meeting of creditors, may be made in estates of three thousand dollars ($3,000.00) or more, without notice, for services actually rendered, but such partial allowances shall not exceed one-half of the amount that such services are reasonably worth; and provided further, that when it is necessary for a receiver or trustee to institute proceedings in other jurisdictions, the court, in its discretion, may authorize a reasonable allowance to counsel for the purpose of such proceedings.

Sharing Fees Prohibited

(f) Agreements between attorneys and other attorneys or any other person having for their purpose the division of fees, except between attorneys appearing jointly of record and except for the payment of recognized commissions on dividends paid, are prohibited. The making of such agreements, or the sharing of such fees, shall be deemed sufficient ground for an order to show cause why such attorney should not be removed from office, if acting in behalf of the estate, and conduct warranting the forfeiture of all fees which might be paid to any person involved in such agreement or transaction. It shall also be deemed contempt of court, and all persons involved shall be subject to punishment for such contempt.

Appearances of Attorneys Not Admitted to Practice in This Court

(g) Appearances of attorneys in bankruptcy cases, including their filing of powers of attorney, shall be limited to attorneys admitted to practice in the District Court of the United States for the Eastern District of Michigan. Non-resident attorneys, except those authorized to practice in this district, may enter their appearances jointly with attorneys authorized to practice in this court.

RULE 14

Inventory Men and Appraisers

Appointment

(a) Competent and disinterested persons shall be appointed by the court to prepare inventories and make appraisals. Lists of such persons, showing their names, addresses, business connections, character of properties and merchandise they are competent to inventory and appraise, their previous experience in making inventories and appraisals, and the names of at least three satisfactory references, shall be kept in the offices of the referees, and inventory men and appraisers shall be selected only from such lists, unless otherwise specifically ordered by the court in a particular case. A record shall also be kept showing a comparison in each case between the appraised value as fixed by them and the amount for which the property is subsequently sold.

Duties

(b) Inventory men and appraisers shall make their inventories and appraisals in the manner described in Rule 21. They shall, in the event that they have acted in more than five cases, or have appraised assets exceeding in appraised value Five Thousand Dollars ($5,000), during the six months periods herein defined, make detailed reports to the referees, as of June thirtieth and December thirty-first in each year, showing the numbers and titles of the cases, the scheduled and appraised values of the assets inventoried and/or appraised, the amounts realized thereon in the liquidation of the estates, the time spent by them in making the inventories and/or appraisals, and the amounts of compensation and expenses allowed and paid to them.

Compensation

(c) The rate of compensation of inventory men and appraisers shall be fixed by the court in the order of appointment, as provided in General Order XLV, and shall be based on the length of time employed and the degree of skill required. From five to ten dollars per day shall be deemed fair compensation, except in cases requiring a high degree of technical training and experience. Unless there are unusual circumstances (in which event a satisfactory showing shall be made), the cost of inventories and appraisals shall not in any case exceed three per cent of the proceeds of the property inventoried and appraised.

Allowances

(d) Each inventory man and appraiser, in requesting an allowance from a bankrupt estate for services rendered, shall file with the referee a statement under oath setting forth an itemized account of the services so rendered and the amount claimed therefor, and no payment to him shall be authorized until such statement has been filed.

RULE 15

Auctioneers

Employment

(a) Receivers or trustees shall as a rule conduct their own sales, but any receiver or trustee may, upon presentation of a petition reciting the reason therefor and a proposed order thereon, be authorized by the court to employ a competent auctioneer to conduct the sale of the assets belonging to the estate in bankruptcy.

Bond

(b) Each such auctioneer shall give, at his expense, a bond to the receiver or trustee, to be approved by the court, with at least two personal sureties, who shall qualify under oath, or a surety company, in the amount of the appraised value of the assets to be sold, conditioned for the faithful and prompt accounting for all moneys and property which may come into his possession as such auctioneer, for compliance with all rules, orders and decrees of this court, and for the faithful performance of his duties in all respects. In lieu of a bond in each case, an auctioneer may be permitted to file, at his own expense, a general bond covering all cases in which he may act, such bond to be in the sum of at least Twenty-five Thousand Dollars ($25,000.00), shall run to the United States of America, and shall be conditioned for each estate to be handled thereunder, in the same terms as bonds in separate estates. All bonds shall be subject to approval by one of the Referees, and, when approved, shall be filed with the clerk.

Conduct and Record of Sales

(c) Each auctioneer shall conduct sales in the manner prescribed in Rule 23, and shall forthwith turn over to the receiver or trustee for deposit the proceeds of all sales. He shall keep a record of each and every sale conducted by him, showing whether public or private, the name of the bankrupt estate, the name of the receiver or trustee, the place and date of the sale, a description of the amount and kind of advertising done, the arrangement of the property into lots or parcels, a detailed account of the highest bids and bidders, both in bulk and by parcels, the cost of conducting the sale by items, and such other information as the referees may require. Such record shall be made in triplicate, one copy to be retained by the auctioneer, one copy to be delivered to the trustee, and the other to be filed in the office of the referees. No compensation shall be allowed to the auctioneer in any case until such copy of said record is so filed.

Compensation

(d) The rate of compensation of auctioneers shall be fixed in the order appointing them, as provided in General Order XLV, and for the sale of real estate shall not exceed three per cent (3%) of the amounts realized on improved property, and five per cent (5%) on the proceeds of unimproved property. In sales of personal property, such compensation shall not exceed five per cent (5%) of the amounts realized. The sharing of compensation by auctioneers with any other person, unless made a matter of record and approved by the court, is prohibited, and in the event of the violation of this rule, the offending auctioneer shall be deprived of all compensation in the case.

Expenses

(e) Auctioneers shall be allowed reasonable amounts for expenses for labor, cataloging, advertising, printing, postage and all other actual and necessary disbursements.

Reports

(f) Each auctioneer shall file with the referees as a basis for the allowance to be made for compensation and expenses, a detailed statement under oath showing separately the amount of the commission to be paid and the items of expense incurred, and no payments shall be made until such statements has been filed.

RULE 16

Auditors and Investigators

Employment

(a) Auditors and investigators may be employed by receivers or trustees for the purpose of securing and furnishing information in the administration of estates in bankruptcy, but no expense for the purpose shall be incurred without leave of one of the judges or referees.

Petition and Order for Appointment

(b) In the event a receiver or trustees desires to employ an auditor or investigator, he shall present a petition showing that such action is necessary and a proposed order thereon. The order shall fix the total amount authorized thereunder and no expense in excess thereof shall be incurred without further authorization by the court. In cases where the entry of an order might tend to defeat the purposes of the investigation, it may be issued but its entry of record may, in the discretion of the referees, be deferred, but not later than the final meeting of creditors.

Compensation and Allowances

(c) The rate of compensation of auditors and investigators shall, as provided in General Order XLV, be fixed by the court in the order appointing them and paid, together with their actual and necessary expenses, out of the funds belonging to the estate. They shall, when requesting allowances, file detailed statements, under oath, showing separately the amounts claimed as compensation and the items of expense incurred, and no payments shall be made to them until such statements are filed.

RULE 17

Official Newspapers

The following newspapers are hereby designated in pursuance of section 28 of the Bankruptcy Act for the publication of official notices and orders:

Southern Division

County	Paper	Publication Day
Branch	—Coldwater Daily Reporter	Daily
Calhoun	—Enquirer-News (Battle Creek)	Daily
Clinton	—Clinton County Republican News (St. Johns)	Thursday
Hillsdale	—The Hillsdale Daily News	Daily
Ingham	—State Journal (Lansing)	Daily
Jackson	—Jackson Citizen-Patriot	Daily
Lapeer	—Lapeer County Press	Wednesday
Lenawee	—Adrian Daily Telegram	Daily
Livingston	—Livingston Republican (Howell)	Wednesday
Macomb	—Daily Leader (Mt. Clemens)	Daily
Monroe	—Monroe Evening News	Daily
Oakland	—Pontiac Daily Press	Daily
St. Clair	—Times-Herald (Port Huron)	Daily
Sanilac	—Sandusky Republican-Tribune	Thursday
Washtenaw	—Ann Arbor Times-News	Daily
Wayne	—Detroit Legal News	Daily

Northern Division

County	Paper	Publication Day
Alcona	Alcona County Review (Harrisville)	Thursday
Alpena	Alpena Evening News	Daily
Arenac	Arenac County Independent (Standish)	Wednesday
Bay	Bay City Times-Tribune	Daily
Cheboygan	Cheboygan Daily Tribune	Daily
Clare	Clare County Cleaver (Harrison)	Friday
Crawford	The Crawford Avalanche (Grayling)	Thursday
Genesee	Flint Daily Journal	Daily
Gladwin	Gladwin County Record	Thursday
Gratiot	Gratiot County Herald (Ithaca)	Thursday
Huron	Huron County Tribune (Bad Axe)	Friday
Iosco	Iosco County Gazette (East Tawas)	Thursday
Isabella	Mt. Pleasant Daily Times	Daily
Midland	Midland Republican	Thursday
Montmorency	Montmorency County Tribune (Atlanta)	Thursday
Ogemaw	Ogemaw County Herald (West Branch)	Thursday
Oscoda	Telegram News (Mio)	Thursday
Otsego	Otsego County Herald and Times (Gaylord)	Thursday
Presque Isle	Presque Isle County Advance (Rogers)	Thursday
Roscommon	Roscommon Herald News	Thursday
Saginaw	Saginaw News Courier	Daily
Shiawassee	Argus Press (Owosso)	Daily
Tuscola	Tuscola County Advertiser (Caro)	Friday

RULE 18

Deposit and Withdrawal of Funds

Depositories Designated

(a) The following named banking institutions are hereby designated in pursuance of section 61 of the Bankruptcy Act as depositories of money belonging to estates in bankruptcy:

South Division

Name of Depository	Address
City National Bank and Trust Company	Battle Creek
Commonwealth Commercial State Bank	Detroit
Detroit Savings Bank	Detroit
Peoples State Savings Bank	Lansing
First National Trust and Savings Bank	Port Huron

Northern Division

Name of Depository	Address
Peoples Commercial and Savings Bank	Bay City
Genesee County Savings Bank	Flint
Second National Bank and Trust Company	Saginaw

Additional or special depositories may be designated by the judges when necessary.

Bond

(b) Each depository shall give a bond running to the United States of America in such amount as shall be fixed by the court. Such bond shall be approved by one of the judges and shall be filed with the clerk of the court.

Deposits

(c) When the first deposit is made, the depository, on the day of accepting and completing the deposit, shall mail to the referees a certificate showing the opening of the account, a blank for which certificate shall be furnished to the receiver or trustees by the referees. Whenever a deposit is thereafter made, the depository shall mail to the referees a duplicate deposit slip showing the name and number of the estate and the date and amount of the deposit.

Withdrawal of Funds

(d) The money of bankrupt estates on deposit in designated depositories shall be withdrawn only by checks serially numbered, signed by the receiver or trustee or said estate and countersigned by one of the referees, except in composition cases where checks may be issued by one of the referees without countersignature. There shall be written or printed on the face of each check so drawn the title and number of the case, a brief statement of the general purpose for which the disbursement is made, and, if for a dividend, the per cent, whether final or otherwise; and the receiver or trustee of each estate and the referees shall keep, in the manner prescribed by the General Order XXIX, a record of all checks drawn. The referees shall furnish to the depositories a copy of said General Order and a copy of this rule.

Books and Records

(e) Each depository shall keep a separate book or ledger of accounts with receivers and trustees of estates in bankruptcy, containing a complete record of bankruptcy funds, including the title and number of each estate, the name and address of the receiver or trustee, the amounts deposited, the withdrawals made from time to time, and the balance remaining on hand to the credit of each and all of such estates.

Monthly Statements and Paid Vouchers

(f) Each official depository shall prepare, at the end of each month, a statement in duplicate in the usual form used by the depository, which statement shall contain the following information:

1. The name of the bankrupt, the number of the bankruptcy case and the name and address of the receiver or trustee;
2. The balance on the last day of the preceding month, or the date and amount of the initial deposit;
3. The serial number of each check paid, the date when paid and the amount of such check.
4. The balance remaining on hand as of the date of the statement.

One of said statements shall, on or before the fifth day of each month, be mailed or delivered to the referees, in cases normally administered, together with all vouchers paid, and the duplicate shall be mailed or delivered to the receiver or trustee as the case may be.

In composition cases, the original statement together with all vouchers, shall be forwarded to the clerk of the court, and the duplicate to the referees.

Payment of Interest

(g) Official Depositories shall retain all interest earned by them on amounts belonging to estates on deposit in general checking accounts, but shall pay interest on all sums on deposit in savings accounts to the credit of estates at such rate per cent per annum and under such conditions as may be agreed to from time to time by the court. Each depository shall classify, in such manner as it may be most expedient, all bankruptcy deposits into two groups—one group of deposits to be of checking accounts and the other group of deposits to be of savings accounts. Such depositories shall render to the referees, not later than the 29th of each calendar month, a financial statement showing the amount of the balances in both groups, and shall immediately thereafter credit to each estate in the second-named group interest at the rate agreed.

RULE 19

Fees and Commissions

Clerk's Fee

(a) In every case the clerk shall be entitled to receive the filing fee of ten dollars, and the statutory fee prescribed for the preparation and mailing of notices on petitions for discharge in bankruptcy, i. e., ten cents each for the first twenty notices and five cents for each additional notice.

Referees' Fee

(b) The clerk shall, on the order of the judges, or one of them, pay to the referees the fifteen dollars deposited as the fee of the referee, upon receiving the latter's certificate that the case has been closed and that the services of the referees have been completed.

Trustee's Fee

(c) The trustee's fee of five dollars, deposited with the clerk, shall, on the order of the judges, or one of them, be paid to the trustee after he has filed his final report and upon the certificate of one of the referees that the services of the trustee have been rendered, and that the case has been closed.

Commissions

(d) The referees shall be paid such commissions as are prescribed by the Bankruptcy Act, and receivers and trustees such sums as may be allowed by the court in accordance with the provisions of said Act. Commissions shall be computed by the application of the percentages fixed by law.

Payment of Referees' Commissions

(e) The commissions of the referee shall be paid at such times as dividends to creditors are paid, and the amounts of such commissions shall be entered upon the dividend sheets furnished by the referees to the trustees.

Allowance of Commissions to Receivers and Trustees—Payment on Account

(f) Allowances from a bankrupt estate shall be made for the services of the receiver and/or trustee only at a hearing of which all creditors shall be given at least ten days' notice in writing, which said notice shall contain a statement of the amounts of the allowances as authorized by law: provided, that a partial allowance subject to adjustment at the final meeting of creditors may be made without notice for services actually rendered but such partial allowance shall not exceed one-half of the amount allowable for such services.

RULE 20

Expenses of Referees

Authorized Expenses

(a) There shall be allowed to the referees as indemnity for expenses of administering estates the following items only:

Expenses of Publication

(1) Amounts necessarily and actually paid for publishing notices required by law to be published.

Traveling Expenses

(2) Necessary and actual traveling and incidental expenses of the referees and those of any clerk or other person necessarily and actually attending them in the performance of their duties while absent from their offices on official business.

Expenses of Reporting and Transcribing Testimony

(3) For stenographic assistance in reporting and transcribing testimony of the bankrupt or other person before the referees pursuant to the statute, ten cents per folio for the original transcript and ten cents per folio for each copy furnished.

Certified Copies

(4) For certified copies of such documents furnished to persons other than receivers and trustees, whether prepared in the referees' offices or furnished for certification by the referees, twenty-five cents for the certificate and ten cents per folio for the copy certified. The referees shall furnish, when they deem it necessary, to receivers and trustees, certified copies of orders and other documents on file in the case, but no charge shall be made therefor and in no case shall the expense of furnishing certified copies be made a charge against the estate.

Clerical and Office Expenses

(5) To cover all the actual and necessary clerical and office expenses incurred in performing the duties of referee under the Bankruptcy Act, the General Orders and these Rules, the referees shall be authorized to make the following charges:

(a) A uniform charge of twenty-five dollars ($25.00) in each case regardless of the amount of assets therein, unless said uniform charge shall be reduced under the provision of sub-division (6) of this rule.

(b) A graduate charge in estates having on deposit one thousand dollars ($1,000.00) or more of a sum not exceeding two dollars and fifty cents ($2.50) per month on each even thousand dollars of deposits, no charge to be made for fractions of a thousand dollars.

The uniform charge shall in no-asset cases be paid in advance of the calling of the first meeting of creditors on a statement of account presented by the referees to the bankrupt or his attorney, and in asset cases by the receiver or trustee on the presentation of a like statement therefor. The graduated charge shall be paid monthly on a statement presented to the receiver or trustee. It shall be the duty of each such receiver or trustee forthwith to issue a check payable to the order of the referees for any amount due either as a uniform or a graduated charge. In composition cases, the checks shall be issued by the referees.

(6) The referees shall establish asd maintain from the charges herein authorized a cash emergency expense fund to insure the payment of the expenses of conducting their offices in the event of sudden falling off or stoppage of the volume of business therein, in a total sum of not less than five thousand dollars ($5,000.00), and not more than twenty-five thousands dollars ($25,000.00). The amount of such fund shall always be indicated by the surplus of receipts for expenses over disbursements for expenses for the period beginning April 2, 1919.

Whenever such surplus shall fall below the sum of ten thousand dollars ($10,000.00), the referees shall increase the graduated charges against estates to such amounts, within the limitation herein prescribed, as will, according to the best estimate which can be made, bring at the end of the next twelve months the total of such fund to the sum of fifteen thousand dollars ($15,000.00).

Whenever such surplus shall exceed the sum of twenty thousands dollars ($20,000.00), the referees shall decrease such graduated charges to such an amount per month as will, according to the best estimate which can then be made, reduce by the end of the next twelve months, the total of such fund to the sum of fifteen thousand dollars ($15,000.00), and, if necessary in order to effect such reduction, decrease the charges fixed by subdivision 5a of this rule uniformly each month over such period of twelve months.

The initial uniform charge hereunder shall be twenty-five dollars ($25.00) in each case and the intial graduated monthly charge fifty cents ($0.50) per one thousand dollars ($1,000.00).

If in any estate between the time of the entry of the final order of distribution and the completion of such distribution, there shall be receipts from interest credited on the balance remaining in such estate, such receipts shall be paid into the expense fund and treated as receipts from graduated charges.

In no event shall the referees have any ownership in the fund hereby created, but it shall at all times belong to, and be a part of, the property of the Bankruptcy Court of this District for use in the conduct of its work of administering estates in bankruptcy.

Expenses in Partnership Cases

(b) In co-partnership estates the assets of the co-partnership and the several individuals shall be treated as one estate for the purpose of computing, reporting and charging the expenses herein allowed.

Partial Payments of Indemnity

(c) Partial payments of indemnity on account of expenses shall not be received.

Charges in Suspense

(d) Charges for expenses in no-asset cases shall not be entered in the books of account of the referees until paid, but shall be carried in a suspense account. A careful record of charges in suspense shall be kept and all such items shall be shown in detail in the monthly report of the referees to the judges.

Closing Cases for Want of Prosecution

(e) Notices requiring the payment of indemnity by bankrupts shall be mailed by the referees to bankrupts in no-asset cases on the reference thereof and, if necessary, at intervals of thirty days thereafter until three notices have been given. If, at the end of ninety days such indemnity has not been paid, the case may be closed for want of prosecution, and shall be so closed at the end of five months.

RULE 21

Inventories and Appraisals

Making and Fling Inventories and Appraisals

(a) An itemized inventory and appraisal, giving quantity, brief description, replacement value and the present market value of all assets in any estate, shall be made and filed in triplicate with the court within ten days after the appointment of any receiver and, if not already made and filed, within a like period after the appointment of the trustee, unless further time be granted by the court upon proper order entered in the cause. In case such inventory and appraisal have been made, the trustee shall make and file within five days of the issuing by the referees of the notice to him of his appointment, a duly verified statement of any modifications that he may deem necessary. In the event that no such statement is filed within such period, unless the time is extended by the court, the trustee shall be deemed to have adopted such inventory as his own.

Supervision—Oath

(b) All inventories and appraisals shall be made under the supervision and direction of such receiver or trustee acting under the order of the court, and shall be made by persons approved by the court for that purpose as provided by Rule 14. Such persons shall duly make oath that all of the property of the bankrupt exhibited by the officer in charge thereof has been fully and fairly inventoried and appraised.

Blanks

(c) All inventories and appraisals shall be made upon uniform blanks approved and furnished by the court.

Quantities

(d) Quantities shall be specified in common designations, such as units, dozens, pounds and the like, and shall be exact and not approximations, except as otherwise specifically ordered by the court.

Description

(e) The description of any article shall be sufficient to apprise of its nature and character, and shall be sufficiently full and complete to enable the identity of such article to be determined from the inventory alone. Real estate shall be described by its legal descrpition and location, giving street and number, if any. Patents, copyrights and like assets shall be shown by name, number and date of issue.

Values Shown By Appraisals

(f) Upon application and sufficient showing of necessity, the court may order that the inventory and appraisal shall also include the cost value of the assets comprising said estate.

Replacement Value

(g) Replacement value shall be held and taken to be the present cost of a new article of like kind and quality without any deduction for seasonableness of article, character or style, shopwear or the like, but shall as near as may be, represent the cost of a replacement of such new article of like kind and quality as the property inventoried at the prevailing market price.

Market Value

(h) The market value of an article shall be deemed its present wholesale value in the usual course of trade, or if not an article bought and sold in the usual course of trade, its value as a part of a going concern (not forced sale value), and shall be fixed with due regard to the condition, seasonableness, adaptability and general character of said article.

RULE 22

Exemptions

Property Exempt

(a) Property which may be set aside to the bankrupt as his exemptions shall be that prescribed by the laws of Michigan, to-wit:

1. Real estate owned and occupied by the bankrupt as a homestead, not exceeding forty acres of farm land or one city lot, of the sum of fifteen hundred dollars in value.
2. One sewing machine, * * * * stoves put up and kept in use in any dwelling house, church pews, burial plots while in use * * * * and all wearing apparel of every person or family.
3. Library or school books * * * * not exceeding one hundred fifty dollars and all family pictures.
4. Household goods, furniture and utensils, not exceeding in value five hundred dollars.
5. Ten sheep, * * * * two cows, five swine, and team of horses, and provisions and fuel for comfortable subsistence of such householder or family for six months.
6. The tools, implements, materials, stock, apparatus, team, vehicle, motor vehicle, horses, harness, or other things, to enable any person to carry on the profession, trade, occupation or business in which he is wholly or principally engaged, not exceeding in value three hundred fifty dollars.
7. Sufficient quantity of hay, grain, feed

and roots whether growing or otherwise for properly keeping for six months the animals herein named.

8. Shares held by any member, being a householder not having or claiming a homestead exemption, in any mutual building and loan association incorporated under the laws of Michigan to the amount of one thousand dollars at the par value thereof.

9. To each householder, sixty per cent of wages due and owing at time of bankruptcy, not exceeding thirty dollars and not less than eight dollars.

10. To every individual not a householder, thirty per cent of wages due and owing at the time of bankruptcy, not exceeding fifteen dollars and not less than four dollars.

11. The cash surrender value of life insurance policies where the beneficiary is the wife, husband or child of the insured.

Segregation—Sale

(b) If the bankrupt has, in his schedules, made a claim for his exemptions, the receiver or trustee shall segregate such property so claimed as exempt. Whenever any of the property named in paragraph 6, subdivision a, of this rule is claimed as exempt, he may, with the consent of the bankrupt, offer it for sale separately and report the amount bid therefor to the referees at the hearing on the confirmation of the sale of the assets. Should such property sell for less than the amount of the exemption fixed by law, it may be reserved for the report of the trustee, setting it aside as exempt, unless the bankrupt should consent to its sale as a part of the assets of the estate and agree to take a pro rata amount in cash, in the proportion which the total of the proceeds of sale of all assets bears to the appraised value thereof. Should such property so enumerated in paragraph 6, subdivision a, of this rule sell for more than the amount of the exemption fixed by law, then the amount so fixed shall be set aside in cash and the sale confirmed.

Surrender or Payment

(c) Within five days after notice of his appointment, the trustee shall file with the referees his report, as the statute requires, designating such exempt property, or the pro rata value thereof in cash. Such report shall remain on file ten days and if the trustee or any creditor does not interpose objections to the allowance of the exemptions, the referees, or one of them, shall enter an order allowing the same and directing the trustee to surrender such exempt property, or to issue his check therefor, if the exemptions are to be paid in cash.

Partnership Property

(d) Partners shall not be entitled to exemptions out of property belonging to a partnership in bankruptcy except there be a surplus, but shall be allowed exemptions only out of the property, if any, belonging to them individually.

RULE 23

Sales

General Procedure

(a) The sale of the assets belonging to an estate in bankruptcy, except as herein otherwise provided, shall be upon petition and order. All conveyances of property sold, whether real or personal, except perishable property necessarily sold and conveyed by the receiver in accordance with these rules, and property sold by a receiver in the authorized carrying on of a bankrupt's business, shall be made by the trustee when appointed.

Petition and Order

(b) When a receiver or trustee desires an order for the sale of any property of the bankrupt, he shall file with the referees a petition therefor, specifying the property to be sold and the recommended manner and time of sale, and present a proposed order based on such petition. Upon the filing of such petition, unless it shall appear that the property sought to be sold is of such a perishable nature that there will be loss if the same is not sold immediately and without notice to creditors, one of the referees may enter an order directing such sale to be made at such time as will permit of giving notice to creditors as provided in subdivision d hereof.

Perishable Property

(c) The sale of perishable property shall be upon petition and order, in accordance with the provisions of General Order XVIII, subdivision 3. The word "perishable" as used herein may be construed to cover not only physical deterioration, but any condition affecting the assets whereby, if they are not sold forthwith, a substantial loss to the estate will result through the accumulation of heavy rental charges, obsolescense due to seasonal changes, and the like.

Notice

(d) The referees shall, except as provided in General Order XVIII, subdivision 3, give at least ten days' notice by mail to creditors of the time, place and manner of such sale, stating the nature of the property to be sold and its value; and the notice shall fix the time and place of the hearing before the referees on the confirmation of the sale. Such notice may be included in the notice of the first meeting of creditors.

Conduct of Sales—Confirmation

(e) The receiver or trustee shall attend at the time and place fixed for such sale, and he or the auctioneer regularly employed shall conduct the sale in accordance with the order of the court, making report thereof as provided in subdivision (i) of this rule. At the time fixed for the hearing on the confirmation of the sale, whether or not objections be made or filed, the referee presiding may confirm, or refuse to confirm the sale and may order a re-sale of the property in such manner and at such time as he may determine to be for the best interest of the estate.

Sales Before Adjudication

(f) Except in cases where the receiver has been authorized to carry on the business of the bankrupt, as provided in section 2, subdivision 5, of the Act, and in cases where the property is perishable as provided for in General Order XVIII, subdivision 3, sales shall not be made before adjudication without the bankrupt's consent.

Bidding at Sales—Record

(g) In every sale at public auction, unless otherwise ordered, the property shall first be offered in bulk, and after the bidding therefor as a whole shall be completed, it shall be offered in lots or parcels, if susceptible of being so offered. A record shall be kept by the person conducting the sale in the manner prescribed by Rule 15 (d).

Deposits on Bids

(h) In all sales of property the highest bidder shall, unless othewrise ordered, make a deposit by certified check of a sum equal to twenty-five per cent of the amount of his bid. In no case shall the deposit be less than one hundred dollars, except where less than that sum is bid, in which case the deposit shall be the full amount of the bid.

Report of Sale

(i) The receiver or trustee, as the case may be, shall file forthwith a written report of the sale, containing complete information relative to the conduct thereof and showing whether it was well attended and whether the bidding was spirited. Such report shall also contain a description of the property sold, a statement of the amount of the highest bid therefor in bulk and in parcels, the names and addresses of the highest bidders for the property in bulk and in the respective parcels, and the recommendation of the receiver or trustee relative to the confirmation of the sale.

Order of Confirmation

(j) Upon the confirmation of a sale, a formal order shall be entered, which shall provide for the conveyance and delivery to the purchaser or purchasers of the property sold upon receipt of the entire amount of the purchase price thereof, unless otherwise ordered by the court.

Sale of Encumbered Property

(k) Property subject to liens or other encumbrances may be sold free and clear thereof by the consent of the persons claiming such liens and encumbrances, or by order of the court, provided that the proceeds of sale shall be sufficient to discharge any and all liens and encumbrances so divested. The procedure for the divesting of liens shall be by petition and order thereon directed to the persons claiming the same, requiring them at a time and place stated to show cause why such property should not be sold free and clear of all liens and encumbrances, or certain of them, and such persons relegated to the proceeds of such sale in lieu thereof. Upon the hearing on said order to show cause, such order shall be entered by the court as the facts warrant.

RULE 23

Reclamation Proceedings

Petition

(a) In all proceedings in bankruptcy where claim is made to property in the possession of the bankrupt, receiver or trustee, the claimant shall file in the court a petition duly verified containing an itemized description of the property and setting forth in detail the facts in the case and the reasons for his claim. A copy of such petition shall be served forthwith upon the receiver or trustee, who shall file with the referees an immediate answer thereto.

Bond

(b) Pending the hearing and determination of any such petition, the property may be delivered to the claimant by order of the court, upon the giving of a bond by the claimant with sufficient sureties, to be approved by the court, upon such terms and conditions as shall be prescribed by the judges or referees.

RULE 25

Claims

Form and Filing

(a) Proofs of claims shall be made on uniform blanks and shall be filed in the office of the referees, where they shall be listed and kept as provided in Rule 10 (j). Receivers and trustees receiving claims from creditors or attorneys shall forward them immediately to the referees for filing.

Claims Based on "Open Account"

(b) The proof of every claim based on "open account," so-called, shall be accompanied by an itemized invoice of the merchandise or articles included, showing for all such articles sold during a period of at least six months prior to the ajudication, dates of sale, quantities, names of the articles, prices, the amount of each item and the total of all items. All credits shall be shown by date, character and amount.

Power of Attorney

(c) No person shall be allowed to vote any claim, except his own, for the election of a trustee or the acceptance or rejection of an offer of composition, except upon the filing of a written power of attorney authorizing him so to do. No person not an attorney admitted to practice in this court shall be permitted to vote more than one claim in addition to his own.

Acknowledgment and Correction of Claims

(d) The referees shall acknowledge the receipt of all proofs of claims received and advise claimants concerning any proofs found by them to be defective in form, as provided in Rule 10 (1) hereof.

Notice of Expiration of Time for Proving

(e) The referees shall, in all cases where dividends are paid or to be paid, give at least thirty days' notice to all scheduled creditors who have not filed their claims, of the expiration of the period for proving said claims, and a like notice in the event that the final distribution is made prior to the expiration of such period.

Examination of Claims

(f) Proofs of claims shall be examined by the trustee in bankruptcy prior to the declaration of any dividend, as provided in Rule 12 (n) hereof.

Amendment of Proofs of Claims

(g) Proofs of claims may be amended at any time, except that no claim shall be amended so as to increase the amount thereof or to change its character after the expiration of the time fixed by law for the proving of claims. In case of amendment, a new proof of claim shall be filed, indicating the change or changes made.

Withdrawal of Proofs of Claims

(h) Proofs of claims may be withdrawn at any time upon written notice to the referees. In such case the proof shall remain on file, the notice of withdrawal shall be attached to it, and the claim shall be plainly marked "withdrawn." The list of claims required to be kept by the referees shall contain an entry showing the withdrawal and referring to such notice.

Objections to Claims—Pleadings

(i) In all proceedings on objections to claims, the objections shall be deemed to be the original pleading and a copy shall be served on the claimant, who may make answer thereto. Objections to the allowance of a claim shall be in writing; if raising an issue of fact, shall be under oath; and shall state the reason or reasons why the claim should not be allowed.

Withdrawal of Original Documents Attached to Proofs of Claims

(j) Original documents attached to proofs of claims filed in the court may be withdrawn upon the substitution of properly verified, or in the case of endorsed promissory notes, of photostatic copies, which shall be compared by the referees and attached to such proofs of claims. Unless photostatic copies are substituted, promissory notes endorsed by third parties shall not be withdrawn in asset cases prior to the declaration and payment of a first dividend to creditors. When such promissory notes are substituted by copies, photostatic or other, the originals thereof shall be endorsed by the referees showing that proofs of claims founded thereon have been filed in the bankruptcy proceedings, and the amounts of any dividends paid on such claims shall be endorsed by the referees upon such notes prior to the withdrawal thereof.

RULE 26

Dividends

First Dividend

(a) The first dividend shall be declared within thirty days after adjudication if the condition of the estate is as set forth in section 65b of the Bankruptcy Act. If no dividend is declared within thirty days, the referee acting in the matter may, in his discretion, declare such dividend or dividends from time to time as the amount of the funds on hand in the estate permit.

Interval Between First and Final Dividends

(b) If more than one dividend is declared in any estate, the final dividend shall not be ordered within a period of three months from the date of the order declaring the first dividend.

One Dividend Only

(c) If no dividend is declared within six months after the adjudication and the estate is ready for settlement, there shall be but one dividend declared and that shall be the final dividend. It shall not be necessary to declare more than one dividend where the amount available for that purpose is less than five per cent (5%) of the total amount of all allowed claims, and in such case the referee shall declare but one dividend and that after a lapse of three months from the date of adjudication.

Notice

(d) When a dividend has been declared and ordered paid, the referees shall give ten days' notice thereof by mail to creditors.

Dividend Sheet

(e) Upon the declaration of a dividend, the referees shall prepare and deliver to the trustee a dividend sheet containing the names of the creditors whose claims have been proved and allowed, and the amount of the dividend payable to each creditor. Dividend checks shall be made payable to creditors and shall be mailed to them by the referees, or to attorneys who have powers of attorney on file therein authorizing them to receive dividends.

Unclaimed Dividends

(f) Six months after the final dividend in any case, the referees shall direct the trustee to stop payment on all dividend checks then unpaid, and to deposit the amount of all unclaimed dividends with the clerk, at the same time filing with said clerk a list of the persons entitled to such unclaimed dividends and the amounts thereof. The clerk shall thereupon deposit the amount so received in the registry of the court subject to further order.

RULE 27

Compositions

Petition for Leave to Make Offer—Filing—Reference

(a) A bankrupt desiring to offer a composition shall file a petition for leave to do so, using as a basis Official Form No. 60, and setting forth all the terms of the proposed offer and, if it contemplates the giving of any promissory notes, the names and addresses of endorsers, if any; and, if it contemplates any other consideration, full particulars thereof. Such petition shall also make full and itemized disclosure as to any proposed disposition or settlement of reclamations or priority or preferential rights or claims and as to any proposed payment of compensation or reimbursement for expense to any creditors' committees, accountants, attorneys, receivers, trustees or other persons. The petition and proposed offer shall be filed in duplicate with the clerk, and be referred to the referees to fix a time and place for a meeting of creditors to receive and consider such offer.

Notice to Creditors

(b) Not less than ten days' notice to creditors of the meeting (and advertisement thereof if ordered) to receive and consider the proposed offer shall be given by the referees. Such notice shall state the time and place of the meeting; shall contain the following information: the terms and full particulars of the offer, the proposed settlement or disposition of reclamations or priority or preferential rights or claims, the proposed compensation of, and disbursements paid or to be paid to creditors' committees, accountants, attorneys, receivers, trustees or other persons; and shall advise that such offer and all matters thereto pertaining will be considered and acted upon by the court after hearing the parties in interest. In cases where there has been an adjudication and the first meeting of creditors has not been held, such notice shall include a notice of the first meeting, the trustee appointed thereat not to qualify if the composition is accepted and confirmed.

Inventory and Appraisal

(c) Prior to the holding of the meeting of creditors, the referees shall cause an inventory and appraisal of the assets of the bankrupt to be made and filed in the manner prescribed by Rule 21, unless an inventory and appraisal have already been made and filed.

Meeting of Creditors—Procedure

(d) The referee acting in the matter shall preside at the meeting of creditors, and the procedure shall be as follows:

1. Entry of appearances of attorneys;
2. Filing of claims;
3. Recording names of creditors present in person and by attorney;
4. Reading of notice of meeting;
5. Filing of schedules, if not already filed;
6. Examination of bankrupt;
7. Presentation of offer;
8. Consideration of offer;
9. Determination of costs, including the fixing of attorney fees;
10. Hearing of objections to claims;
11. Vote on offer and declaration of result; and, in cases where a trustee is to be apappointed.
12. Appointment of trustee.

Continuance—Bond

(e) In the event of a request for a continuance, the referees may require a bond to indemnify the estate against loss due to additional expense of administration occasioned by the delay.

Computation of Deposit—Order

(f) At the conclusion of the meeting, the referee acting in the matter shall determine the amount of the deposit to be made by the bankrupt to carry out the terms of the composition offer. In making the computation the referee shall include all expenses, allowances and fees that may accrue in such composition proceedings, and shall add a percentage for contingencies not to exceed 10% of the total cash required. An order shall thereupon be entered by the referee and a copy thereof served on the bankrupt reciting the terms to the offer, the method of computing the consideration to be deposited, and the amount thereof, and requiring the bankrupt to make such deposit within the time herein prescribed.

Making of Deposit

(g) Within five days after the acceptance of a composition offer the bankrupt shall make his deposit. No additional time shall be granted except on sufficient cause shown to the court. The deposit shall be made with the referees, who shall forthwith place the money constituting the cash consideration of the offer in one of the official depositories designated by the court.

Bond

(h) The bankrupt shall be required to give bond satisfactory to the referees, conditioned that the amount deposited by him shall be sufficient to pay the proposed composition dividend on all such claims as may be allowed in excess of the amount of claims scheduled, that he will fully perform all things necessary to be done by him in the carrying out of the terms of the offer, and that he will pay any and all costs and expenses incurred in the enforcement of the obligations of such bond.

Report and Certificate By Referee

(i) On the making of the composition deposit, the referee shall report to the judges the proceedings had before him. The report shall set forth:

(1) The date of the reference of the offer of composition;

(2) The date of the notice of the creditors' meeting to receive and consider such offer;

(3) The date of such meeting, the fact that the bankrupt was examined thereat, the making of the offer after and not before the filing of the schedules and the examination, the number of claims filed and the aggregate amount thereof, the number and total amount of the claims of creditors voting to accept the offer, and the number and total amount of the claims of creditors refusing or neglecting to accept such offer;

(4) The deposit of the consideration of the offer, including any note or notes, stock certificates and the like, and whether such deposit is sufficient to cover all expenses of administration, priority claims and the cash offered to creditors; and

(5) The proposed disposition of all matters set forth in the offer or pertaining to the composition.

Attached to the report as exhibits shall be—

(1) The offer of composition;

(2) A copy of the notice of the meeting of creditors with proof of its publication and service;

(3) Minutes of the meeting and of the bankrupt's examination; and

(4) The acceptances;

And accompanying said report shall be the certificate of the referee acting in the matter showing whether he is satisfied—

(1) That the bankrupt has conformed to the requirements of the Bankruptcy Act;

(2) That the bankrupt has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to his discharge; and

(3) That the offer and its acceptance are in good faith and have not been made or procured except as in said Bankruptcy Act provided, or by any means, promises or acts therein forbidden.

Said certificate shall contain the recommendation of the referee as to whether or not the composition should be confirmed.

The referee shall also make full report in the event that the offer of composition is not accepted, or if accepted, the deposit required is not made.

Amendment or Withdrawal of Offer of Composition

(j) If a bankrupt desires to amend an offer of composition by increasing the amount to be paid in cash, he may be permitted to do so without further notice to creditors. The bankrupt shall not, without first obtaining leave of one of the judges or referees, be permitted to amend his original offer by reducing the amount to be paid in cash, notwithstanding the bankrupt proposes to offer an equivalent or larger aggregate amount, partly in cash and partly in notes or other obligations. Any new offer shall be filed and referred in the same manner as the original offer. Ten days' notice to creditors shall be given of such new offer. The bankrupt shall not be permitted to withdraw any offer of composition without leave of one of the judges or referees on sufficient cause shown.

Offers After Rejection of Original Offer

(k) The bankrupt, having made an offer of composition with creditors, and the same or an amendment thereof having been rejected by them, shall not be permitted to make a further offer without obtaining leave of the court therefor on satisfactory cause shown, and on such conditions as the court may fix for the purpose of saving the estate harmless from loss.

Application for Confirmation—Order for Hearing

(l) Upon the filing of the report of the referee, the bankrupt may make application to the judges for the confirmation of the composition, using Official Form No. 61. To his application shall be attached the affidavits required by General Order XLI. Such application shall be filed with the clerk, whereupon an order shall be made by one of the judges fixing the time for the hearing thereon.

Notice To Creditors

(m) The clerk shall forthwith forward to the referees a copy of the order fixing the time for the hearing on the application for confirmation, and unless otherwise ordered, the referees shall thereupon and at least ten days before the return day thereof, mail a copy of such order to all creditors listed in the schedules and to any creditors not so listed whose claims have been filed. Notice shall be added that, upon the confirmation of the composition, distribution will be made by the referees, in accordance with the terms of the offer as confirmed, to all creditors as scheduled by the bankrupt, unless their proofs of claim are filed before such distribution is made.

Hearing On Application For Confirmation

(n) On the return day of the order for the hearing on the application for the confirmation of the composition, no appearance in opposition shall be received unless the creditor appearing then and there files an affidavit that he intends in good faith to oppose such composition, and files specifications of objections to such confirmation. One of the judges shall on said return day hear the matter summarily and shall then and there determine the procedure; may vacate any receivership; order the immediate hearing of any specifications before the court, or refer the same to the referees as special masters; or take any other action which justice requires. No withdrawal of such opposition shall be permitted and no order of confirmation shall be entered on such withdrawal except on affidavits of the bankrupt and his attorney and the opposing creditor or creditors that no consideration has been promised or given for such withdrawal.

Hearing on Specifications—Extension of Time

(o A hearing on specifications in opposition to a confirmation shall be had within ten days after the reference thereof: provided, that an extension of time for such hearing may be given upon a petition setting up the facts under oath, showing that the extension is necessary and that it is for the benefit of the estate. The bankrupt's counsel of record shall be served with a copy of such petition and a notice of its hearing.

Laches

(p) If the time for the hearing on specifications of objection to the confirmation of a composition is not extended and the hearing is not begun within ten days after the specifications are referred to the referees, or if, after the hearing is begun, there is unreasonable delay by the objecting creditor or creditors in carrying on and completing such hearing, the referee acting in the matter may certify such facts to the judges and an application to dismiss the specifications may be made. Notice of such application shall be given to the opposing creditor or creditors.

Confirmation and Distribution

(q) If there are no objections to the confirmation of the composition, or if there are objections and they are not sustained or are dismissed or withdrawn, an order of confirmation shall be entered. Upon the entry of such order of confirmation, an order of distribution shall be made, and the clerk shall forward to the referees a copy of said order of distribution, whereupon the referees shall promptly mail to all creditors whose claims have been filed and allowed, or to attorneys having powers of attorney from such creditors, and to all other creditors on the basis of the indebtedness as shown by the schedules of the bankrupt, the checks and/or notes or other consideration for the amounts due them respectively; and shall issue checks in payment of the expenses of the proceeding. The referees shall in making such distribution prepare as the basis thereof, and file the same as a rcord in the case when the distribution is completed, a distribution sheet showing under appropriate headings the several classifications of disbursements.

Return of Assets to Bankrupt

(r) The assets belonging to any bankrupt estate shall not, in a composition proceeding, be delivered to the bankrupt until after the entry of the order of confirmation, unless for good cause shown to one of the judges or referees and unless a bond shall be given to indemnify the estate against any loss accruing on account of the delivery.

Surplus of Composition Deposit

(s) In the event that there is a residue of the composition deposit remaining in the hands of the referees after the distribution to creditors in accordance with the order of distribution and the payment of all expenses incident to the matter, such residue shall be refunded to the bankrupt.

Jurisdiction After Confirmation

(t) Upon the confirmation of a composition, the referees shall have and retain jurisdiction of the case until closed, for the making of all necessary orders for the carrying out of the terms of the composition.

Close of Composition Cases

(u) Composition cases shall be closed upon the completion of the distribution to creditors and the payment of the expenses in accordance with the order of distribution entered by the court.

Expense of Defeating Composition

(v) In the discretion of the court, where the confirmation of a composition offered by the bankrupt has been denied on any of the grounds mentioned in section 12, subdivision d, of the Bankruptcy Act by the efforts and at the expense of one or more of the creditors, themselves not guilty of attempting to obtain directly or indirectly a voidable preference, and a larger distribution to creditors results thereby, the reasonable expenses of such creditors in defeating such composition, including attorney fees, may be allowed as expenses incurred in conserving the assets belonging to the estate.

RULE 28

Discharges

Petition

(a) The petition for discharge shall be filed with the clerk, and shall be duly verified.

Order to Show Cause—Publication—Mailing

(b) Upon the filing of the petition, an order shall be entered by the clerk requiring all known creditors and other persons in interest to show cause before the court at a fixed time and place why such discharge should not be granted, which time shall be sufficiently in advance to permit of the mailing herein provided. A copy of said petition and of said order shall be mailed by the clerk to all persons entitled to notice of such application, including the trustee, if there be one, and to the attorney for the trustee, if there be one, at least thirty days prior to the date fixed in said order. Said bankrupt shall cause a copy of said petition and of said order to be published at least once and at least thirty days prior to the date fixed in the order. The bankrupt or his attorney shall furnish the clerk with all necessary copies together with addressed envelopes or post cards for such mailing. All envelopes or cards shall bear the return address of the clerk. The clerk, before mailing, shall check such envelopes or cards with the schedules. Proof of such mailing shall be made and filed by the clerk.

Proof of Publication

(c) The bankrupt, on or before the return day fixed in said order or any adjourned date thereof, shall file a proof of publication.

Granting of Discharge—No Opposition

(d) If no creditor or other party in interest appears and opposes the petition, the discharge may be granted without further hearing.

Appearances in Opposition—Specifications

(e) Any person desiring to oppose such discharge shall file his appearance in opposition thereto with the clerk on or before the return day fixed in the order to show cause, and shall file verified specifications of objection and serve them or a copy thereof on the bankrupt's attorney, or if he has none then on the bankrupt, as prescribed by General Order XXXII.

Filing of Specifications by Trustee

(f) The trustee may oppose the granting of a discharge to a bankrupt upon being authorized so to do by the creditors of such bankrupt. Upon the filing of a petition by the trustee asking for leave to oppose a discharge, or on petition of any creditor praying that such leave be granted, the referees shall call a special meeting of creditors, giving due notice thereof, for the purpose of considering such petition, and at such special meeting a formal vote shall be taken and entered upon the record. If a majority in number of creditors present at said meeting, representing a majority in amount of the claims so represented thereat, which claims have been duly filed and allowed, vote in favor of authorizing the trustee to oppose the discharge, an order shall be entered by one of the referees granting said petition, and the trustee shall thereupon be authorized to file his specifications opposing such discharge.

Reference of Specifications—Report—Exceptions

(g) Such specifications shall forthwith be referred to the referees to take testimony, and to ascertain and report the facts together with conclusions and recommendations thereon. Either party desiring to except to the report shall do so within ten days after notice of the filing thereof, and the exceptions may be heard by one of the judges upon four days' notice. Proof of service of such notice shall be filed with the clerk on or before the hearing.

Objections to Specifications

(h) Objections to the sufficiency of the specifications shall be filed with the clerk at least three days prior to the date of the hearing on the specifications, unless further time be granted, and shall forthwith be served upon the attorney for the objecting party. Such objections shall be referred to the referees and hard at the time fixed for the hearing on the specifications. If objections are not so filed and served, the specifications shall be deemed sufficient.

Laches

(i) If the hearing before one of the referees on specifications of objection to discharge is not begun within one month after the specification are referred, or if, after the hearing is begun, there is unreasonable delay by the trustee or the objecting creditor or creditors in carrying on and completing such hearing, the referee acting in the matter may certify such facts to the judges, and an application to dismiss the objections to the discharge may be made. Notice of such application shall be given to the trustee or the opposing creditor or creditors.

RULE 29

Reviews of Orders of Referees

Petition for Review

(a) Whenever a review of any order made by a referees is desired, a petition therefor shall be filed with the referees, pursuant to General Order XXVII, within ten days after notice by one of the referees of the making of such order, unless such time shall be extended by one of the referes or judges, upon cause shown. Failure to file such petition for review within such time, or within such extended time, shall be deemed a waiver of all right to a review. Any party to a proceeding other than a receiver or trustee shall, at the time of filing a petition for review, serve a copy thereof upon the receiver or trustee, if any, of the estate in which the matter is pending.

Referee's Certificate

(b) Upon the filing of a petition for review, as provided by General Order XXVII, the referee, of whose order a review is sought, shall certify to the judges the question presented, a summary or transcript of the evidence, if any, relative thereto, the findings of fact and law, the order thereon, and a statement of the reasons for the order. Notice of the filing of such certificate shall be given to all attorneys of record.

Certifying Testimony

(c) Any party to such review shall be entitled to have the testimony or such portions thereof as are deemed material certified and returned with the record thereon, upon making due application to the referees therefor and paying the cost of transcribing such testimony as provided in Rule 20.

Hearing on Referee's Certificate

(d) After a question has been certified by a referee pursuant to General Order XXVII, any papers with reference thereto shall be filed with the clerk and the hearing may be brought on before one of the judges on any motion day by either party. At least two days' notice of the hearing shall be given to the opposing attorney, and a copy of such notice shall be filed with the clerk.

Re-Reference fo Subject Matter

(e) Within ten days after the filing of the certificate of the referee on a petition for review, or such further time as the judge may allow, written application may be made for a further reference to the referees of the subject matter of the order for the purpose of correcting inadvertent mistakes of fact or law, or correcting or supplementing the record, or receiving newly discovered evidence; but the application shall point out specifically the alleged mistakes and imperfections and the occasion thereof, disclose the nature and source of the newly discovered evidence and show that the same is material, may be controlling, is not merely cumulative and could not have been discovered before by the use of due diligence. Such notice of hearing upon the application shall be given to the opposing party or counsel as the court may direct.

RULE 30

Motions—Hearings

Motions—Hearings

Unless otherwise ordered by the judges, motions shall be noticed for and be heard on Mondays at 9:30 o'clock a. m. Not less than two days' notice shall be given of any motion, which notice together with a copy or copies of any affidavits upon which it is based, shall be served on the opposite party.

RULE 31

Collection of Accounts Receivable

Duty of Receiver and Trustee

(a) The collection of accounts receivable shall be immediately begun by the receiver on his appointment, and vigorously carried on by the trustee when appointed, by the sending out to all debtors of the bankrupt of letters requiring the immediate payment of obligations owing to the estate in bankruptcy. These shall be followed at frequent intervals by further demands, if necessary, and, with the approval of the court, by the institution of suits against such debtors for the recovery of the amounts due.

Placing of Accounts for Collection

(b) The receiver or trustee may, on the presentation of a proper petition reciting the reasons therefor and a proposed order ganting such petition, be authorized to place the accounts receivable belonging to the estate in the hands of a reputable collector for collection. In such event, the order may authorize the adjustment of the several accounts, if the facts warrant, without further order of the court, by the allowing of proper credits, set-offs or counter-claims; provided, however, that no compromise of a controversy involving more than five hundred dollars shall be made without order of the court on notice to creditors. Such order may further give general authority for the institution of suits on such accounts.

Compensation of Collector

(c) The collector with whom such accounts receivable have been placed for collection shall be paid such reasonable compensation as may be allowed by the referee acting in the matter, but not to exceed the following rates:

Fifty per cent (50%) on all sums collected under fifteen ($15.00); and twenty-five per cent (25%) on all sums collected exceeding fifteen dollars ($15.00), with a minimum compensation of seven dollars and fifty cents ($7.50).

A reasonable suit fee shall be allowed in case it becomes necessary to bring suit in any instance.

Accounting

(d) The collector shall pay over to the receiver or trustee all sums collected, for proper accounting to the referees, and shall be paid his commissions and any suit fees by voucher issued by such receiver or trustee and countersigned by one of the referees in the same manner as other disbursements are made under the authority of the court.

RULE 32

Reopening Cases

Petition and Order

(a) Cases which have been closed may be re-opened, subject to the limitations of this rule, upon the presentation to the judges of a petition duly verified setting forth the reasons therefor and a proposed order granting such petition. In the event that the case had been previously closed for want of prosecution, no progress having been made in the administration; that proposed action on the re-opening thereof is predicated on the filing of claims by creditors; and that more than five months have elapsed since the date of adjudication, the petition for re-opening shall not be granted.

Re-Reference

(b) On the entry of the order permitting the re-opening of the case, the matter may again be referred to the referees for appropriate action and proceedings may be had therein as in other cases. The case shall retain the same number, no additional indemnity for expense shall be required, and the record shall be continued as though the case had not been closed.

Re-Closing

(c) Upon the conclusion of the proceedings, the case shall again be closed and the record certified to the clerk by the referee acting in the matter. No additional compensation to the referee or trustee shall be allowed or paid, except such lawful commissions as may have accrued on the proceeds of new assets or old assets further administered under the re-reference, and no additional expenses shall be charged except such as are permitted by Rule 20 in the further administration of the estate.

RULE 33

Ancillary Proceedings

(This District being the Primary Jurisdiction)

Permission to Institute

(a) Permission to instiute ancillary administration in another jurisdiction shall be obtained by the receiver in any case, or by any party in interest with the consent of such receiver, only upon presentation to the judges prior to the reference thereof, or to the referees thereafter, of a petition for leave to file the application in such other jurisdiction. Attached to the petition shall be a copy of the application. If such permission is granted, a formal order shall be entered, which shall reserve to this jurisdiction all questions relating to the general administration of the estate affecting assets of the bankrupt in the ancillary jurisdiction.

Proceedings on Report

(b) Upon the coming in of the report, which shall be in duplicate, of the ancillary administration in such other jurisdiction, the clerk shall transmit one copy of the same to the referees for appropriate action, and any proceeds of such administration shall be turned over to the trustee. In the event that allowances of compensation are to be made, a time for hearing shall be fixed, and notices thereof shall be given to creditors and to the ancillary receiver and his attorneys.

(This District being the Ancillary Jurisdiction)

Application

(c) The application for ancillary administration in this District shall be by petition which shall be presented to, and acted upon by the judges. The petition shall be verified and shall set forth fully and in detail the facts showing the necessity for ancillary proceedings and the relief sought.

Exhibits

(d) There shall be attached to such application as exhibits certified copies of all pertinent and jurisdictional proceedings in the primary jurisdiction, including the petition in bankruptcy and such of the following named documents as may have been filed: the answer, the schedules, or list of creditors, the order appointing a receiver, the order of adjudication, the order of reference, the order approving the appointment of the trustee, the order approving his bond, the order granting leave to apply for ancillary proceedings, and all other records necessary fully to inform the court of the proceedings in such primary jurisdiction.

Appointment of Ancillary Receiver—Reference

(e) If it appears upon hearing that good cause therefor exists, an order shall be entered by one of the judges, either ex parte or upon notice, as he shall deem advisable, granting the ancillary administration and appointing the ancillary receiver. The issues raised by the ancillary proceedings may be determined by the judge or the matter may be referred to the referees as special masters. The order of reference shall specify the duties to be performed by the special masters and shall fix their compensation.

Ancillary Receiver—Duties

(f) The ancillary receiver shall proceed in the same manner as a receiver appointed in a case arising within this jurisdiction and be governed by the provisions of these rules insofar as applicable.

Administration

(g) Property coming into the possession of the ancillary receiver shall be administered and liquidated pursuant to the provisions of the Bankruptcy Act, the General Orders and the rules of this jurisdiction. In general, the summary delivery of property and documents in the possession of the bankrupt or his agents may be ordered, the examination of bankrupts and witnesses had, assets marshalled, and liens and adverse claims determined. Assets may be sold on notice to creditors for the purpose of paying liens or other charges.

Payment of Liens and Expenses—Turning Over of Property

(h) All liens or direct claims or charges on the property, such as secured claims, tax liens, mechanics' liens, and expenses of administration, including the compensation of the special masters, and the ancillary receiver and his attorneys, may no notice to creditors, be fixed, allowed and paid and the surplus turned over to the trustee in the primary jurisdiction. When there are no liens, claims or direct charges against the property arising in this jurisdiction, except the usual costs of administration, such property may be turned over for administration to the primary jurisdiction. In that event, the costs of administration may be allowed in this jurisdiction and payment requested of the primary jurisdiction.

No General Distribution

(i) No distribution to general unsecured creditors shall be made in this jurisdiction.

Report of Ancillary Receiver

(j) The report of the ancillary receiver and the petitions of such receiver and his attorneys for compensation shall be heard upon not less than ten days' notice by mail to creditors and to the trustee in the primary jurisdiction. A copy of the receiver's report and account and copies of the petitions of such attorneys for fees shall be transmitted to the trustee with such notice. Such report and petitions shall be heard and settled by the referee acting in the matter, or if no reference was made, by one of the judges.

Referees' Report

(k) In the event of a reference, the referee acting in the matter, upon the completion thereof, shall forthwith file in duplicate his report with the clerk, who shall transmit to the clerk of the primary jurisdiction one copy thereof, with a notice that if no objections are filed within twenty days, the same will be confirmed. If no objections are filed within the time, an order may be entered without further notice confirming the report and closing the ancillary proceedings. If objections are filed, they shall be set down for hearing and determined by one of the judges and an appropriate order entered. The proceeds of the ancillary administration, if any, shall be turned over to the trustee appointed in the primary jurisdiction.

General Orders in Bankruptcy

Adopted by the Supreme Court of the U. S. Nov. 28, 1898.
Amendments and additions thereto, to and including May 15, 1933

(Notes—The Amendments of April 17, 1933, became effective April 24, 1933. New General Order LI was promulgated May 15, 1933, and made effective immediately.

Words omitted are indicated by asterisks, and words inserted are in bold. All General Orders promulgated since the last previous publication of this pamphlet (July 1, 1929) appear in full in bold.)

RULE 1

Docket

The clerk shall keep a docket, in which the cases shall be entered and numbered in the order in which they are commenced. It shall contain a memorandum of the filing of the petition and of the action of the court thereon, of the reference of the case, **if any reference is made,** to the referee, and of the transmission by him to the clerk of his certified record of the proceedings, with the dates thereof, and a memorandum of all proceedings in the case except those duly entered on the referee's certified record aforesaid. The docket shall be arranged in a manner convenient for reference, **shall indicate whether or not the proceeding is brought under any of the sections of Chapter VIII of the Act,** and shall at all times be open to public inspection.

RULE 2

Filing of Papers

The clerk or the referee shall indorse on each paper filed with him the day and hour of filing, and a brief statement of its character.

RULE 3

Process

All process, summons and subpoenas, **except such as are issued by the Interstate Commerce Commission in the performance of its duties under section 77 of the Act,** shall issue out of the court, under the seal thereof, and be attested by the clerk; and blanks, with the signature of the clerk and seal of the court, may, upon application, be furnished to the referees.

RULE 4

Conduct of Proceedings

Proceedings * * * may be conducted by the bankrupt **or debtor** in person in his own behalf, or by a petitioning or opposing creditor; but a creditor will only be allowed to manage before the court his individual interest. Every party may appear and conduct the proceedings by attorney, who shall be an attorney or counsellor authorized to practice in the * * * district court. The name of the attorney or counsellor, with his place of business, shall be entered upon the docket, with the date of the entry. All papers or proceedings offered by an attorney to be filed shall be indorsed as above provided, and orders granted on motion shall contain the name of the party or attorney making the motion. Notices and orders which are not, by the act or by these general orders, required to be served on the party personally may be served upon his attorney.

RULE 5

Frame of Petitions

1. All petitions and the schedules filed therewith shall be printed or written out plainly, without abbreviation or interlineation, except where such abbreviation or interlineation may be for the purpose of reference.

2. Petitioners in involuntary proceedings **for adjudication,** whose claims rest upon assignment or transfer from other persons, shall annex to one of the duplicate petitions

all instruments of assignment or transfer, and an affidavit setting forth the true consideration paid for the assignment or transfer of such claims and stating that the petitioners are the bona fide holders and legal and beneficial owners thereof, and whether or not they were purchased for the purpose of instituting bankruptcy proceedings.

3. Every voluntary bankrupt whose petition is not accompanied by schedules shall file with his petition, unless further time not exceeding ten days is granted by the court for cause shown, a verified list in triplicate of the names of his creditors and their residences, if known, and if unknown that fact to be stated.

RULE 6

Petitions in Different Districts

In case two or more petitions shall be filed against the same individual in different districts, the first hearing shall be had in the district in which the debtor has his domicile, and the petition may be amended by inserting an allegation of an act of bankruptcy committed at an earlier date than that first alleged, if such earlier act is charged in either of the other petitions; and in case of two or more petitions against the same partnership in different courts, each having jurisdiction over the case, the petition first filed shall be first heard, and may be amended by the insertion of an allegation of an earlier act of bankruptcy than that first alleged, if such earlier act is charged in either of the other petitions; and, in either case, the proceedings upon the other petitions may be stayed until an adjudication is made upon the petition first heard; and the court which makes the first adjudication of bankruptcy shall retain jurisdiction over all proceedings therein until the same shall be closed. In case two or more petitions shall be filed in different districts by different members of the same partnership for an adjudication of the bankruptcy of said partnership, the court in which the petition is first filed, having jurisdiction, shall take and retain jurisdiction over all proceedings in such bankruptcy until the same shall be closed: and if such petitions shall be filed in the same district, action shall be first had upon the one first filed. But the court so retaining jurisdiction shall, if satisfied that it is for the greatest convenience of parties in interest that another of said courts should proceed with the cases, order them to be transferred to that court.

RULE 7

Priority of Petitions

Whenever two or more petitions shall be filed by creditors against a common debtor, alleging separate acts of bankruptcy committed by said debtor on different days within four months prior to the filing of said petitions, and the debtor shall appear and show cause against an adjudication of bankruptcy against him on the petitions, that petition shall be first heard and tried which alleges the commission of the earliest act of bankruptcy; and in case the several acts of bankruptcy are alleged in the different petitions to have been committed on the same day, the court before which the same are pending may order them to be consolidated, and proceed to a hearing as upon one petition; and if an adjudication of bankruptcy be made upon either petition, or for the commission of a single act of bankruptcy, it shall not be necessary to proceed to a hearing upon the remaining petitions, unless proceedings to be taken by the debtor for the purpose of causing such adjudication to be annulled or vacated.

RULE 8

Proceedings in Partnership Cases

(General Order in Bankruptcy No. 8, entitled "Proceedings in Partnership Cases," and Bankruptcy Form No. 2, entitled "Partnership Petition," abrogated and annulled by order of Supreme Court promulgated May 25, 1925.)

RULE 9

Schedule in Involuntary Bankruptcy

In all cases of involuntary bankruptcy in which the bankrupt is absent or cannot be found, it shall be the duty of the petitioning creditor to file, within five days after the date of the adjudication, a schedule giving the names and places of residence of all the creditors of the bankrupt, according to the best information of the petitioning creditor. If the debtor is found, and is served with notice to furnish a schedule of his creditors and fails to do so, the petitioning creditor may apply for an attachment against the debtor, or may himself furnish such schedule as aforesaid.

RULE 10

Indemnity for Expenses

Before incurring any expense in publishing or mailing notices, or in traveling, or in procuring the attendance of witnesses, or in perpetuating testimony, the clerk, marshal or referee may require, from the bankrupt, **debtor**, or other person in whose behalf the duty is to be performed, indemnity for such expense. Money advanced for this purpose by the bankrupt, **debtor**, or other person shall be repaid him out of the estate as part of the cost of administering the same.

RULE 11

Amendments

The court may allow amendments to the petition and schedules on application of the petitioner. Amendments shall be printed or written, signed and vertified, like original petitions and schedules. If amendments are made to separate schedules, the same must be made separately, with proper references. In the application for leave to amend, the petitioner shall state the cause of the error in the paper originally filed.

RULE 12

Duties of Referee

1. The order referring a case to a referee shall name a day upon which the bankrupt **or debtor** shall attend before the referee, and from that day the bankrupt **or debtor** shall be subject to the orders of the court in all matters relating to * * * **the proceedings**, and may receive from the referee a protection against arrest to continue, **unless suspended or vacated by order of the court**, until the final adjudication on his application for a discharge **or for the confirmation of a composition or extension proposal** * * *. A copy of the order shall forthwith be sent by mail to the referee, or be delivered to him personally by the clerk or other officer of the court. And thereafter all the proceedings, except such as are required by the act or by these general orders to be had before the judge, shall be had before the referee.

2. The time when and the place where the referees shall act upon the matters arising under the several cases referred to them shall be fixed by special order of the judge, or by the referee; and at such times and places the referees may perform the duties

which they are empowered by the act to perform.

3. Applications for a discharge, or for the * * * **confirmation of a composition where the proceeding is had under section 12 of the Act,** or for an injunction to stay proceedings of a court or officer of the United States or of a State, shall be heard and decided by the judge. But he may refer such an application, or any specified issue arising thereon, to the referee, **or in proceedings under section 77 of the Act, to a special master,** to ascertain and report the facts. **Unless otherwise ordered by the judge, applications for the confirmation of a debtor's proposal under section 74 of the Act, and all objections thereto, shall be heard and decided by the referee.**

4. If a voluntary bankrupt files the list of creditors required by General Order V, the referee shall promptly call the first meeting of creditors without awaiting the filing of schedules.

RULE 13

Appointment and Removal of Trustee

The appointment of a trustee by the creditors shall be subject to be approved or disapproved * * *, and he shall be removable by the **referee or** by the judge * * *.

RULE 14

No Official or General Trustee

No official trustee shall be appointed by the court, nor any general trustee to act in classes of cases. **This general order shall not apply to proceedings under section 77 of the Act.**

RULE 15

Trustee Not Appointed in Certain Cases

If the schedule of a voluntary bankrupt discloses no assets, and if no creditor appears at the first meeting, the court may, by order setting out the facts, direct that no trustee be appointed; but at any time thereafter a trustee may be appointed, if the court shall deem it desirable. If no trustee is appointed as aforesaid, the court may order that no meeting of the creditors other than the first meeting shall be called.

RULE 16

Notice to Trustee of His Appointment

It shall be the duty of the referee, immediately upon the appointment and approval of the trustee, to notify him in person or by mail of his appointment; and the notice shall require the trustee forthwith to notify the referee of his acceptance or rejection of the trust, and shall contain a statement of the penal sum of the trustee's bond.

RULE 17

Duties of Trustee

1. The trustee shall, immediately upon entering upon his duties, prepare a complete inventory of all the property of the bankrupt **or debtor** that comes into his possession.

2. The trustee shall make report to the court, within * * * five days after receiving the notice of his appointment, **unless further time is granted by the court,** of the articles set off to the bankrupt **or debtor** by him, according to the provisions of * * * section 47 of the act, with the estimated value of each article, and any creditor **or the bankrupt or debtor** may take exceptions to the determination of the trustee within * * * ten days after the filing of the report, **unless further time is granted by the court.** The referee may require the exceptions to be argued before him, and shall certify them to the court for final determination at the request of either party.

3. The accounts of the trustee, required by section 47 of the Act, shall include a statement of all items of property received and of all items of property disposed of; his final report shall include such accounts, and the referee, except in no asset cases, shall mail a summary of said report and accounts to the creditors with the notice of the final meeting, together with a statement of the amount of claims proved and allowed.

4. The trustee shall examine the correctness of all proofs of claim filed against estates and object to the allowance thereof if he deems them improper.

5. In case the trustee shall neglect to file any report or statement which it is made his duty to file or make by the Act, or by any general order in bankruptcy, within five days after the same shall be due, it shall be the duty of the referee to make an order requiring the trustee to show cause before him, * * * at a time specified in the order, why he should not be removed from office. The referee shall cause a copy of the order to be served upon the trustee at least * * * three days before the time fixed for the hearing * * *.

6. All accounts of trustees shall be referred as of course to the referee for audit, unless otherwise specially ordered by the court.

7. This general order shall not apply to proceedings under section 77 of the act.

RULE 18

Sale of Property

1. All sales shall be by public auction unless otherwise ordered by the court. **Where the property is sold by an auctioneer he shall, upon completion of the sale, furnish the receiver or trustee with an itemized statement of the property sold, the name of each purchaser, and the price received for each item, or for the property as a whole if it is sold in bulk.**

2. Upon application to the court, and for good cause shown, the trustee may be authorized to sell any specified portion of the * * * estate at private sale; in which case he shall keep an accurate account of each article sold, and the price received therefor, and to whom sold; which account he shall file at once with the referee.

3. Upon petition by a bankrupt, **debtor,** creditor, receiver or trustee, setting forth that a part or the whole of the * * * estate is perishable, the nature and location of such perishable estate, and that there will be loss if the same is not sold immediately, the court, if satisfied of the facts stated and that the sale is required in the interest of the estate, may order the same to be sold, with or without notice to the creditors, and the proceeds to be deposited in court.

4. This general order shall not apply to proceedings under section 77 of the Act.

RULE 19

Accounts of Marshal

The marshal shall make return, under oath, of his actual and necessary expenses in the service of every warrant addressed to him, and for custody of property, and other services, and other actual and necessary expenses paid by him, with vouchers therefor whenever practicable, and also with a statement that the amounts charged by him are just and reasonable.

RULE 20

Papers Filed After Reference

Proofs of claims and other papers filed subsequently to the reference, except such as call for action by the judge, may be filed either with the referee or with the clerk.

RULE 21

Proof of Debts

1. Depositions to prove claims against * * * an estate shall be correctly entitled in the court and in the cause. When made to prove a debt due to a partnership, it must appear on oath that the deponent is a member of the partnership; when made by an agent, the reason the deposition is not made by the claimant in person must be stated; and when made to prove a debt due to a corporation, the deposition shall be made by * * * **a duly authorized officer of the corporation.** Depositions to prove debts existing in open account shall state when the debt became or will become due; and if it consists of items maturing at different dates the average due date shall be stated, in default of which it shall not be necessary to compute interest upon it. All such depositions shall contain an averment that no note has been received for such account, nor any judgment rendered thereon. Proofs of debt received by any trustee shall be delivered to the referee to whom the cause is referred.

2. Any creditor may file with the referee a request that all notices to which he may be entitled shall be addressed to him at any place, to be designated by the post-office box or street number, as he may appoint; and thereafter, and until some other designation shall be made by such creditor, all notices shall be so addressed; and in other cases notices shall be addressed as specified in the proof of debt.

3. Claims which have been assigned before proof shall be supported by a deposition of the owner at the time of the commencement of proceedings, setting forth the true consideration of the debt and that it is entirely unsecured, or if secured, the security, as is required in proving secured claims. Upon the filing of satisfactory proof of the assignment of a claim proved and entered on the referee's docket, the referee shall immediately give notice by mail to the original claimant of the filing of such proof of assignment; and, if no objection be entered within ten days, or within further time allowed by the referee, he shall make an order subrogating the assignee to the original claimant. If objection be made, he shall proceed to hear and determine the matter.

4. The claims of persons contingently liable for the bankrupt **or debtor** may be proved in the name of the creditor when known by the party contingently liable. When the name of the creditor is unknown, such claim may be proved in the name of the party contingently liable; but no dividend shall be paid upon such claim, except upon satisfactory proof that it will diminish pro tanto the original debt.

5. The execution of any letter of attorney to represent a creditor, or of an assignment of claim after proof, may be proved or acknowledged before a referee, or a United States commissioner, or a notary public. When executed on behalf of a partnership or of a corporation, the person executing the instrument shall make oath that he is a member of the partnership, or a duly authorized officer of the corporation on whose behalf he acts. When the person executing is not personally known to the officer taking the proof or acknowledgment, his identity shall be established by satisfactory proof.

6. When the trustee or any creditor **or the bankrupt or debtor** shall desire the re-examination of any claim filed against the * * * estate, he may apply by petition to the referee to whom the case is referred for an order for such re-examination, and thereupon the referee shall make an order fixing a time for hearing the petition, of which due notice shall be given by mail addressed to the creditor. At the time appointed the referee shall take the examination of the creditor, and of any witnesses that may be called by either party, and if it shall appear from such examination that the claim ought to be expunged or diminished, the referee may order accordingly.

7. Every proof of debt filed in extension proceedings under section 74 of the Act shall, unless the court is satisfied from its other allegations that the claim is not based on money loaned or upon any bond, note or other obligation, contain proof that the claim is free from usury as defined by the laws of the place where the debt is contracted.

8. The provisions of this general order shall not apply to proceedings under section 77 of the Act.

RULE 22

Taking of Testimony

The examination of witnesses before the referee may be conducted by the party in person or by his counsel or attorney, and the witnesses shall be subject to examination and cross-examination, which shall be had in conformity with the mode now adopted in courts of law. A deposition taken upon an examination before a referee shall be taken down in writing by him, or under his direction, in the form of narrative, unless he determines that the examination shall be by question and answer. When completed it shall be read over to the witness and signed by him in the presence of the referee. The referee shall note upon the deposition any question objected to, with his decision thereon; and the court shall have power to deal with the costs of incompetent, immaterial, or irrelevant depositions, or parts of them, as may be just.

RULE 23

Orders of Referee

In all orders made by a referee, it shall be recited, according as the fact may be, that notice was given and the manner thereof; or that the order was made by consent; or that no adverse interest was represented at the hearing; or that the order was made after hearing adverse interests.

RULE 24

* * * List of Proved Claims * * *

The referee shall * * * **maintain open to inspection** a list of the claims proved against an estate, with the names and addresses of the proving creditors.

RULE 25

Special Meeting of Creditors

Whenever, by reason of a vacancy in the office of trustee, or for any other cause, it becomes necessary to call a special meeting of the creditors in order to carry out the purposes of the act, the court may call such a meeting, specifying in the notice the purpose for which it is called.

RULE 26

Accounts of Referee

Every referee shall keep an accurate and itemized account * * * **showing, with respect to each case referred to him, his receipts and**

expenditures and their nature. Within sixty days after the expiration of each six months' period ending January thirty-first and July thirty-first, respectively, in each year, he shall submit to the district court (1) a transcript of such account, with proper vouchers, when vouchers can be procured; (2) a statement showing the unexpended balance, if any, of moneys received as indemnity or charges for expenses; (3) if the referee devotes part time to his duties, a statement showing the extent to which and the method by which any overhead expenses have been allocated to and reimbursed out of the cases referred to him; (4) the particular rule or method by which the amount of expense charges against individual estates is computed or fixed; (5) a statement of the cases referred to him which have remained open for more than eighteen months, giving the reasons in each instance why they have not been closed. The accounts and statements so submitted shall be in duplicate and verified; one copy shall be transmitted by the clerk, forthwith upon its receipt, to the Attorney General.

RULE 27

Review by Judge

When a bankrupt, creditor, trustee, or other person shall desire a review by the judge of any order made by the referee, he shall file with the referee his petition therefor, setting out the error complained of; and the referee shall forthwith certify to the judge the question presented, a summary of the evidence relating thereto, and the finding and order of the referee thereon.

RULE 28

Redemption of Property and Compounding of Claims

Whenever it may be deemed for the benefit of * * * an estate * * * to redeem and discharge any mortgage or other pledge, or deposit or lien, upon any property, real or personal, or to relieve said property from any conditional contract, and to tender performance of the conditions thereof, or to compound and settle any debts or other claims due or belonging to the estate * * *, the trustee, or the bankrupt **or debtor,** or any creditor who has proved his debt, may file his petition therefor; and thereupon the court shall appoint a suitable time and place for the hearing thereof, notice of which shall be given as the court shall direct, so that all creditors and other persons interested may appear and show cause, if any they have, why an order should not be passed by the court upon the petition authorizing such act on the part of the trustee. **This general order shall not apply to proceedings under section 77 of the Act.**

RULE 29

Payment of Moneys Deposited

No moneys deposited as required by the act shall be drawn from the depository unless by check or warrant, signed by the clerk of the court, or by a trustee, and countersigned by the judge of the court or by a referee designated for that purpose, or by the clerk or his assistant under an order made by the judge, stating the date, the sum, and the account for which it is drawn; and an entry of the substance of such check or warrant, with the date thereof, the sum drawn for, and the account for which it is drawn, shall be forthwith made in a book kept for that purpose by the trustee or his clerk; and all checks and drafts shall be entered in the order of time in which they are drawn, and shall be numbered in the case of each estate. A copy of this general order shall be furnished to the depository, and also the name of any referee or clerk authorized to countersign said checks. **This general order shall not apply to proceedings under section 77 of the Act.**

RULE 30

Imprisoned Debtor

If at the time of * * * **the commencement of proceedings under this Act,** the bankrupt **or debtor** shall be imprisoned, the court, upon application, may order him to be produced upon habeas corpus, by the jailor or any officer in whose custody he may be, before the * * * court, for the purpose of testifying in any manner relating to * * * **said proceedings;** and, if committed after the * * * **commencement of said proceedings** upon process in any civil action founded upon a claim provable * * * **under the Act,** the court may, upon like application, discharge him from such imprisonment. If the * * * bankrupt **or debtor,** during the pendency of said proceedings * * * be arrested or imprisoned upon process in any civil action, the district court, upon his application, may issue a writ of habeas corpus to bring him before the court to ascertain whether such process has been issued for the collection of any claim provable * * * **under the Act,** and if so provable he shall be discharged; if not, he shall be remanded to the custody in which he may lawfully be. Before granting the order for discharge, the court shall cause notice to be served upon the creditor or his attorney, so as to give him an opportunity of appearing and being heard before the granting of the order.

RULE 31

Petition for Discharge

The petition of a bankrupt **or debtor** for a discharge shall state concisely, in accordance with the provisions of the Act and the orders of the court, the proceedings in the case and the acts of the bankrupt **or debtor.**

RULE 32

Opposition to Discharge or Composition or Extension

A creditor opposing an application * * * for * * * discharge, or for the confirmation of a **composition or extension proposal,** shall enter his appearance in opposition thereto on the day when the creditors are required to show cause, and shall at the same time file a specification in writing of the grounds of his opposition * * *.

RULE 33

Arbitration

Whenever a trustee shall make application to the court for authority to submit a controversy arising in the settlement of a demand against * * * an estate, or for a debt due to it, to the determination of arbitrators, or for authority to compound and settle such controversy by agreement with the other party, the application shall clearly and distinctly set forth the subject matter of the controversy, and the reasons why the trustee thinks it proper and most for the interest of the estate that the controversy should be settled by arbitration or otherwise.

RULE 34

Costs in Contested Adjudications

In cases of involuntary bankruptcy, when the debtor resists an adjudication, and the court, after hearing, adjudges the debtor a bankrupt, the petitioning creditor shall recover, and be paid out of the estate, the same costs that are allowed to a party recovering in a suit in equity; and if the petition is dismissed, the debtor shall recover like costs against the petitioner.

RULE 35

Compensation of Clerks, Referees and Trustees

1. The fees allowed by the act to clerks shall be in full compensation for all services performed by them in regard to filing petitions or other papers required by the act to be filed with them, or in certifying or delivering papers or copies of records to referees or other officers, or in receiving or paying out money; but shall not include copies furnished to other persons, or expenses necessarily incurred in publishing or mailing notices or other papers.

2. The compensation of referees, prescribed by the act, shall be in full compensation for all services performed by them under the act, or under these general orders; but shall not include expenses necessarily incurred by them in publishing or mailing notices, in traveling, or in perpetuating testimony, or other expenses necessarily incurred in the performance of their duties under the act and allowed by special order of the judge.

3. The compensation allowed to trustees by the act shall be in full compensation for the services performed by them; but shall not include expenses necessarily incurred in the performance of their duties and allowed upon the settlement of their accounts.

4. In any case in which the fees of the clerk, referee and trustee are not required by the act to be paid by a debtor before filing his petition to be adjudged a bankrupt, the judge, at any time during the pendency of the proceedings in bankruptcy, may order those fees to be paid out of the estate; or may, after notice to the bankrupt, and satisfactory proof that he then has or can obtain the money with which to pay those fees, order him to pay them within a time specified, and, if he fails to do so, may order his petition to be dismissed. He may also, pending such proceedings, both in voluntary and involuntary cases, order the commissions of referees and trustees to be paid immediately after such commissions accrue and are earned.

RULE 36

* * * * * * * *

Appeals

Appeals shall be regulated, except as otherwise provided in the Act, by the rules governing appeals in equity in courts of the United States.

RULE 37

General Provisions

In proceedings in equity, instituted for the purpose of carrying into effect the provisions of the act, or for enforcing the rights and remedies given by it, the rules of quity practice established by the Supreme Court of the United States shall be followed as nearly as may be. In proceedings at law, instituted for the same purpose, the practice and procedure in cases at law shall be followed as nearly as may be. But the judge may, by special order in any case, vary the time allowed for return of process, for appearance and pleading, and for taking testimony and publication, and may otherwise modify the rules for the preparation of any particular case so as to facilitate a speedy hearing.

RULE 38

Forms

The several forms annexed to these general orders shall be observed and used, with such alterations as may be necessary to suit the circumstances of any particular case. **In proceedings under any of the sections of Chapter VIII of the Bankruptcy Act, unless and until the debtor is adjudicated a bankrupt all forms used shall refer to him as a "debtor" and not a "bankrupt" and shall be captioned "In proceedings for a composition or extension" or "In proceedings for the reorganization of a railroad," as the case may be, and not "In bankruptcy."***

RULE 39

Representation of Creditors by Receivers or Their Attorneys

Neither a receiver nor his attorney shall solicit any proof of debt, power of attorney, or other authority to act for, or represent, any creditor for any purpose in connection with the administration of * * * an estate or the acceptance or rejection of any composition * * * **or extension proposal. The local bankruptcy court may, however, whenever a banking institution is, under local rule or practice, always appointed receiver in cases requiring the services of a receiver, by local rule approved by a majority of the circuit judges of the circuit, provide that notice may be given to the creditors of the availability of such institution to act as trustee if elected, and may provide means to facilitate the creditors in filing and voting their claims in favor of the election of such institution as trustee.**

RULE 40

Receivers and Marshals as Custodians

A receiver or marshal appointed by the court to take charge of the property of a bankrupt after the filing of a petition, shall be deemed to be a mere custodian within the meaning of section 48 of the bankruptcy act, unless his duties and compensation are specifically enlarged by order of the court, upon proper cause shown, either at the time of the appointment or later.

RULE 41

Waiver of Right to Share in Composition Deposits or in Payments Under An Extension

Before confirming a composition **or extension proposal** * * * the court shall require all creditors and other persons who may have waived their right to share in the distribution of the deposit * * * **or in payments under the extension,** for claims, fees or otherwise, to set forth in writing and under oath all agreements with respect thereto with the bankrupt **or debtor,** his attorney or * * * other person, and shall also require an affidavit by the bankrupt **or debtor** that he has not directly or indirectly paid or promised any consideration to any attorney, trustee, receiver, creditor, or other person in connection with the * * * proceedings except as set forth in such affidavit or **in the offer of composition or extension,** and that he has no knowledge of any such payment or promise by any other party.

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*Note—The Official Forms are not included in this compilation.

RULE 42

Compensation of Attorneys, Receivers and Trustees

1. Every attorney, receiver and trustee seeking an allowance of compensation from * * * an estate for services rendered, or reimbursement for expenses incurred in the proceedings, shall file with the * * * court a petition under oath, setting forth a full and detailed statement of such services and expenses and the amount claimed therefor, and, in case of an attorney or receiver, the amount of the partial allowance, if any, theretofore made. And such petition shall be accompanied by an affidavit of the applicant stating that no agreement has been made, directly or indirectly, and that no understanding exists, for a division of fees between the applicant and the receiver, the trustee, the bankrupt, **the debtor,** or the attorney of any of them. In the absence of such petition and affidavit no allowance of compensation shall be made; **and no allowance shall be made to any attorney for a receiver or trustee except for professional services.**

2. **Except in proceedings under section 77 of the Act,** such petition shall be heard at a meeting of creditors, and the referee in sending the notice of such meeting prescribed by section 58 of the * * * Act, shall state by whom and in what amount the allowance of the compensation or reimbursement for expenses is asked.

RULE 43

Fees and Expenses of Attorneys for Petitioning Creditors

The court may deny the allowance of any fee to the attorney for petitioning creditors or the reimbursement of his expenses, or both, if it shall appear that the proceedings were instituted in collusion with the bankrupt **or debtor** or were not instituted in good faith.

RULE 44

Appointment of Attorneys for Receivers or Trustees

* * * * * No attorney for a receiver or a trustee shall be appointed except upon the order of the court, which shall be granted only upon **the verified petition of the receiver or trustee, stating the name of the counsel whom he wishes to employ, the reasons for his selection, the professional services he is to render, the necessity for employing counsel at all,** * * * * * * * * * * **and to the best of petitioner's knowledge all of the attorney's connections with the bankrupt or debtor, the creditors or any other parties to the proceedings, and their respective attorneys. If satisfied that the attorney represents no interest adverse to the receiver, trustee, or any creditor in the matters upon which he is to be engaged, and that his employment would be to the best interests of the estate, the court may authorize his employment, and such employment shall be for specific purposes unless the court is satisfied that the case is one justifying a general retainer. If without disclosure any attorney acting for a receiver or trustee shall have represented any interest adverse to the receiver, trustee, or any creditor in any matter upon which he is employed for such receiver or trustee, the court may deny the allowance of any fee to such attorney, or the reimbursement of his expenses, or both, and may also deny any allowance to the receiver or trustee if it shall appear that he failed to make diligent inquiry into the connections of said attorney.**

Nothing herein contained shall prevent the court, in proceedings under section 77 of the Act, from authorizing the employment of attorneys who are attorneys of the railroad corporation, or associated with its legal department, in connection with the operation of the business of the corporation by a trustee or trustees under paragraph (c) of section 77, when such employment is found by the court to be in the public interest in relation to such operation and is not adverse to the interests of the trustee or trustees or of the creditors of the corporation.

RULE 45

Auctioneers, Accountants and Appraisers

No auctioneer or accountant shall be employed by a receiver or trustee except upon an order of the court expressly fixing the amount of the compensation or the rate or measure thereof. The compensation of appraisers shall be provided for in like manner in the order appointing them.

RULE 46

Deposit of Funds by Banking Institution Acting as Fiduciary

Whenever a custodian, receiver or trustee is a banking institution designated and qualified pursuant to section 61 of the Act to act as depository for money, said banking institution may, if authorized by rule of the local Bankruptcy Court approved by a majority of the Circuit Judges of the Circuit, keep on deposit with itself money received by it as custodian, receiver or trustee, if said banking institution under the local laws of the state of its domicile is permitted to keep on deposit with itself money collected and received by it acting as receiver or trustee under the appointment of any court. Such local rule shall contain such provisions for the supervision and control of such deposits as the court may deem adequate, and on all sums of money not less than $100 so kept on deposit interest shall be allowed by such banking institution at such rate as may from time to time be directed by such local rule.

(Promulgated January 13, 1930—Amended June 1, 1931)

RULE 47

Reports of Referees

The reports of referees in all * * * proceedings * * * under the Act, and of special masters in proceedings under section 77 of the Act, shall be deemed presumptively correct, but shall be subject to review by the court, and the court may adopt the same, or may modify or reject the same in whole or in part when the court in the exercise of its judgment is fully satisfied that error has been committed: Provided, That when any matter is referred by consent of all parties in interest and the intention is plainly expressed in the consent order that the submission is to the referee or master as an arbitrator, the court may review the same only in accordance with the principles governing a review of an award and decision by an arbitrator.

(Promulgated May 31, 1932)

RULE 48

Proceedings Under Section 74 of the Act

The following additional rules shall apply to proceedings under section 74 of the Act:

1. Notice to creditors of the proposed appointment of a custodian or receiver may, in

the interests of expedition, be given by publication instead of in writing, if the court so directs.

2. If a custodian or receiver is appointed, the notice of the first meeting which he is required to prepare shall be in form approved by the referee and the date of the meeting shall be fixed by the referee.

3. If the debtor is a wage earner or a person engaged chiefly in farming or the tillage of the soil, and any happenings occur which under the provisions of subdivision (l) of said section would otherwise be followed by an order of liquidation, and the debtor does not consent to liquidation, the court shall dismiss the proceedings and notify the creditors accordingly. If a compostion or extension proposal is set aside for fraud as provided in subdivision (k) of said section, the case shall be reinstated and such proceedings shall be had as upon denial of confirmation under subdivision (l).

4. For the purposes of computing the commissions of the referee and of the custodian or receiver the term "composition" as used in sections 40 and 48 of the Act shall be deemed to include an extension proposal, and the amount of the debts whose maturity is to be extended thereunder and of the debts, if any, to be paid in full on the confirmation, shall be deemed to be "the amount to be paid creditors" within the meaning of said sections. If the estate is liquidated under the provisions of subdivision (l) of section 74 of the Act, the referee shall return to the estate any commissions previously received and shall be entitled to commissions on all moneys disbursed to creditors by the trustee as provided in section 40 of the Act.

RULE 49

Proceedings Under Section 77 of the Act

The following additional rules shall apply to proceedings under section 77 of the Act:

1. Each Circuit Court of Appeals shall cause written notice to be given the judges of the district courts within the circuit of the names and addresses of the persons from time to time designated and qualified to act as special masters under the provisions of subdivision (c) of section 77.

2. The clerk of the district court in which proceedings under section 77 are brought shall forthwith transmit to the Interstate Commerce Commission copies of (a) the petition of a railroad corporation, or of creditors thereof, desiring to effect a plan of reorganization; (b) the answer, if any, of the corporation, upon receipt of which the commission shall file with the court its recommendation as to the disposition of the answer; (c) the order approving or dismissing the petition; (d) any order appointing or removing a temporary or permanent trustee; (e) the order fixing the date for a hearing on the appointment of permanent trustees; (f) any application by a trustee for authority to issue certificates, upon receipt of which the commission shall file with the court an order approving or disapproving such issuance; (g) any order authorizing such issuance; (h) such schedules and reports as may be submitted by the corporation with respect to the conduct of its affairs and the fairness of any proposed plan; (i) the lists of creditors and stockholders required to be filed by the trustee or the corporation, and the order determining the time within which the claims and interests of creditors and stockholders may be filed or evidenced, the manner in which such claims and interests may be filed or evidenced and allowed, and the division of creditors and stockholders into classes, upon receipt of which papers the commission may hold a public hearing for the presentation of plans of reorganization as provided in subdivision (d) of section 77; (j) all orders allowing or rejecting such claims and interests, or extending the time within which they may be filed or evidenced; (k) any petition for the fixing of a reasonable time within which a plan of reorganization shall be proposed or accepted, upon receipt of which the commission shall recommend to the court what in its judgment a reasonable time would be; (l) any orders fixing or extending such time, or dismissing the proceedings for failure to comply with such orders; (m) any order issued upon the petition of the commission for the reference of particular matters to a special master, and the report of such master thereon; (n) all orders referring to the commission for its determination, under the fifth or sixth clauses of subdivision (g) of section 77, the fixing of an upset price or the appraisal of securities, upon receipt of which orders the commission shall make the necessary determinations and report thereon to the court; (o) any orders approving the special employment of assistants requested by the commission; (p) all applications for allowances of fees and expenses in the proceeding or in any prior receivership proceeding, upon receipt of which the commission shall determine the maximum limits of such allowances and file with the court its report thereon; (q) any order adjudging the corporation to be solvent or insolvent; (r) the order confirming or disapproving the plan and, if it is disapproved, the judge's opinion stating his reasons for such disapproval; (s) any orders issued to the trustee or trustees with respect to the operation of the corporation's business; (t) the order dismissing the proceedings, if the plan is disapproved, or if it is confirmed directing the transfer or other disposition of the property; (u) the final decree; and (v) such other papers filed in the proceedings as the commission may request of the clerk or the court may direct him to transmit. All papers filed with the court shall have attached thereto such copies as the clerk may require in carrying out this general order.

3. The commission shall forthwith cause to be filed in the district court having jurisdiction of the proceedings, copies of (a) any order approving the filing of a petition by creditors under subdivision (a) of section 77; (b) each plan of reorganization presented at the hearing provided for in subdivision (d) of section 77; (c) each order or call for a hearing, with a statement of its purposes; (d) the plan subsequently recommended by the commission, together with the report and any supplemental report thereon; (e) in addition to the papers required to be submitted to the court under the provisions of subdivision (f) of said section, the written acceptances of any plan which is finally approved, together with a certificate of the commission that in its judgment the debtor and every other corporation issuing securities or acquiring property under the plan is authorized by its charter or by applicable State or Federal laws, upon confirmation of the plan, to carry out the plan; (f) any orders granting authority, subject to the confirmation of the plan, for the issuance of securities or other steps contemplated by the plan; (g) any orders issued to the trustee or trustees with respect to the operation of the corporation's business; and (h) such other papers filed in the proceedings as the court may direct or the commission deem pertinent. All proceedings before the commission under section 77

shall be conducted in accordance with its rules of practice.

4. Upon application of the commission prior to its approval of a plan of reorganization the court, after a hearing upon notice to the stockholders and to all parties who have appeared in the proceedings, shall determine whether or not the corporation is insolvent.

RULE 50

Proceedings Under Section 75 of the Act

The following rules shall apply to proceedings under section 75 of the Act:

1. A petition for the appointment within a particular county of a conciliation commissioner must show to the satisfaction of the judge that each petitioner, within the meaning of subdivision (r) of section 75 is a farmer and a resident of the county, and must allege that each petitioner is insolvent or unable to meet his debts as they mature, and that he intends to file a petition for relief under said section. Having granted the petition and appointed a conciliation commissioner for such county, the judge may, without further petition, reappoint him or appoint other or additional conciliation commissioners for such county.

2. Every petition for relief filed under subdivision (b) of section 75 shall specify the county or counties in which any land used in the petitioner's farming operations is situated, and shall not be granted unless a conciliation commissioner for such county, or for one of such counties, has previously been appointed. The clerk shall not accept the petition unless it is accompanied by the filing fee and the schedules, which shall be in duplicate. Upon the filing of the petition the judge shall enter an order either approving it as properly filed under the section, or dismissing it for want of jurisdiction. If the petition is approved, the case shall be referred, and one of the duplicate schedules delivered, to a conciliation commissioner appointed for service in said county or in one of said counties.

3. Within 10 days after the approval of the petition, or within such further time as the judge for cause shown may allow, the farmer shall file with the conciliation commissioner an inventory of his estate, and the commissioner shall thereupon call the first meeting of creditors, to be held before him at such place as he deems most convenient for the parties in interest, upon written and published notice as provided in section 58 of the Act. Prior to the meeting he shall set off to the farmer the exemptions to which the farmer is entitled.

4. If the farmer has not applied for confirmation within such reasonable time as has been finally fixed therefor, which shall be not later than three months after the date of the first meeting the conciliation commissioner shall, unless the judge for cause shown shall have permitted a further extension, forthwith report the facts to the judge, who shall thereupon dismiss the proceedings.

5. The deposit required by subdivision (g) of section 75 shall be made in any one of the designated depositories, subject to withdrawal by the depositor upon the countersignature of the conciliation commissioner. The judge shall furnish a copy of this general order to the depositories and also the name of any conciliation commissioner whose countersignature is authorized.

6. Application for confirmation shall be filed with the conciliation commissioner who shall forthwith transmit it to the judge with (a) the acceptances, (b) the proofs of claims which have been allowed and those which have been disallowed, (c) a list of the debts having priority, (d) a list of the secured debts, with a description of the security of each, (e) the final inventory, with a list of the exemptions, (f) a certificate of the depository showing that the required deposit has been made, and (g) a report of the commissioner recommending or opposing confirmation and, in the case of an extension, stating to what extent, if any, it would be desirable for the court after confirmation to retain jurisdiction of the farmer and his property.

7. The judge shall fix a date and place for a hearing before him upon the application for confirmation. At the hearing any creditor opposing confirmation shall file a written specification of the grounds of his opposition. If the judge does not confirm the proposal he may dismiss the proceedings, or refer the specifications to the commissioner for testimony and report and thereafter confirm the proposal or dismiss the proceedings.

8. If a composition or extension proposal is set aside for fraud under the provisions of subdivision (m) of section 75 the case may be dismissed and the clerk shall notify the creditors accordingly. Whenever the terms of the proposal are modified under the provisions of subdivision (l) of said section, the clerk shall send a written notice of the modifications to the creditors.

9. The personal representative of a deceased farmer who desires in his representative capacity to effect, under section 75, a composition or extension of the debts of the estate, shall attach to his position, in lieu of schedules, the following papers, certified as correct by the court which appointed him (hereinafter referred to as the probate court): (a) a copy of the order of his appointment, (b) a copy of an order of the probate court authorizing him to file the petition, (c) a detailed inventory of so much of the property constituting the estate as under the laws of the State of which the decedent died a resident would be available for creditors, and (d) a list of the names and addresses of the creditors, showing the amounts allowed or apparently owing to each, the nature of the securities or liens, if any, held by each, and the claims which are entitled to priority. The petition shall show to the satisfaction of the district court that the decedent at the time of his death was a farmer within the meaning of subdivision (r) of section 75, and shall specify the county or counties in which at the time of the decedent's death his farming operations occurred. If the petition is approved by the district court as properly filed under section 75, the clerk shall file a certified copy of the order of approval with the probate court, and from the date of such order until the case is dismissed the district court shall exercise exclusive jurisdiction over the property required to be listed in the inventory as above provided.

10. Upon the approval of a personal representative's petition the case shall be referred to a conciliation commissioner and proceeded with as in all other cases under section 75 and this general order, except that (a) the original and any amended or supplementary inventory filed by the petitioner with the approval of the probate court shall be deemed to be correct, and no inventory shall be made by the commissioner; (b) all claims allowed by the probate court, and only such claims, shall be allowed by the commissioner or the district court; (c) the petitioner shall file with the application for confirmation a completed list of the claims allowed up to the date of the application, certified as correct by the probate court; and (d) the clerk shall file with the probate

court certified copies of all orders of the judge confirming or denying the proposal, modifying its terms, or dismissing the proceedings before or after confirmation.

11. Insofar as is consistent with the provisions of section 75 and of this general order, the conciliation commissioner shall have all the powers and duties of a referee in bankruptcy and the general orders in bankruptcy shall apply to procedings under said section. A supervisory conciliation commissioner, if appointed, shall exercise such supervision and control over the conduct of proceedings by conciliation commissioners as the judge may from time to time direct.

12. The ten dollar fees of the conciliation commissioner, and the fees and expenses of the supervisory conciliation commissioner, shall be payable out of appropriated funds in accordance with such instructions as may be issued from time to time by the Attorney General.

RULE 51

Ancillary Receivers

No ancillary receiver shall be appointed in any District Court of the United States in any bankruptcy proceeding pending in any other District of the United States except (1) upon the application of the primary receiver, or (2) upon the application of any party in interest with the consent of the primary receiver, or by leave of the court of original jurisdiction, or a judge thereof. No application for the appointment of such an ancillary receiver shall be granted unless the petition contains a detailed statement of the facts showing the necessity for such appointment, which petition shall be verified by the party in interest, or the primary receiver, or by an agent of the party in interest or primary receiver specifically authorized in writing for that purpose and having knowledge of the facts. Such authorization shall be attached to the petition.

Rules of the United States Court of Customs and Patent Appeals

Effective February 28, 1931
Amended to Aug. 1933

GENERAL

RULE 1

Clerk

1. The clerk of this court shall keep his office in the city of Washington. He shall not practice either as an attorney or counselor of this court while he shall continue to be clerk. He shall indorse on every paper the date on which the same is filed and shall not permit any original paper, document, or exhibit to be taken from the files without an order from the court or permission of one of the judges thereof. The parties interested in any matter pending before the court may have full access to the records in such matters in the office of the clerk and may take copies of all papers filed therein: Provided, That the clerk, in executing the duties required of him, may allow any original papers or transcripts of record on file in his office to be used by the printer, and said clerk shall be responsible for the preservation and safe return thereof.

2. It shall be the duty of the clerk to preserve, for the use of the court, one copy of the record in each case disposed of, together with the briefs of counsel.

3. The clerk shall furnish to any applicant a copy of any paper on file in any case on payment of the legal fees therefor.

4. The office of said clerk shall be open for the transaction of business on every day except Sundays and legal holidays from 9:00 o'clock a. m. to 4:30 o'clock p. m., except on Saturdays, when it shall be open from 9:00 o'clock a. m. to 1:00 o'clock p. m.

RULE 2

Attorneys

Parties shall be entitled to be represented in this court by attorney. Any attorney who is entitled to practice in the Supreme Court of the United States or in the circuit courts of appeals of the United States or in the court of last resort in any State or Territory or the District of Columbia may be admitted to practice in and have his name enrolled as an attorney of this court by the clerk, upon filing a recommendation of any justice of the Supreme Court of the United States, United States circuit or district judge or judge of the Court of Appeals or Supreme Court of the District of Columbia, of the United States Court of Claims, the United States Customs Court, or of the court of last resort of the State or Territory in which such attorney may reside at the time of his application for admission to this court, or upon motion by an attorney of this court made in open court, the applicant being present. Prior to the issuance of the certificate of admission the attorney shall take and subscribe the following oath of office, which shall be filed with the clerk:

"I, ——— ———, do solemnly swear [or affirm] that I will demean myself, as an attorney and counselor of this court, uprightly and according to law, and that I will support the Constitution of the United States."

RULE 3

Process

Process to be issued from this court shall be of such form and style as is in use in the Supreme Court of the United States. All writs shall be attested in the name of the presiding judge and shall be signed by the clerk of the court, with the seal of the court attached, and shall be returnable at such times as the court may fix.

RULE 4

Bonds of Clerk, Assistant Clerk, and Marshal

The clerk, assistant clerk, and marshal shall each give bond, with sureties to be approved by the court, with condition in each case to faithfully perform all the duties of his office according to law, and which shall be renewed at the end of each successive period of four years. The penal sum fixed in the bond of said clerk shall be $15,000, in the case of the assistant clerk $3,500, and in the case of the marshal $20,000.

RULE 5

Fees to be Collected and Accounted for by the Clerk

The clerk shall demand and receive of the party or parties at whose instance or request the service is performed, or who by law may be found to pay, fees of his office, which shall be payable in advance, according to the following schedule:

Schedule

There shall be paid for each admission to practice, including certificate thereof	$ 2.00
For each certificate under seal	1.00
For making or copying any record or other paper and certifying the same, per folio of 100 words	.15
For filing and docketing each customs appeal, $6, this fee to be in full of all fees in the case: Provided, That when an appeal is taken by the United States no payment of fees shall be required	6.00
For filing and docketing each patent appeal, $12, this fee to be in full of all fees, in the case, except the charge for preparing and supervising the printing of the record	12.00
For preparing the record or transcript in patent cases for the printer, or such parts thereof as may be required under the rules of the court, indexing the same, supervising the printing thereof, and distribution of copies under the rules, to be paid for by appellant, for each printed page of the record	.25
For certifying a printed record, per page	.05

Fees of the Marshal

The fees and costs to be allowed the marshal shall be, and hereby are, fixed the same as those allowed the marshal of the Supreme Court of the United States.

RULE 6

Sessions

The court will convene during sessions at 10 a. m., unless otherwise ordered. All motions shall be presented at the opening of court on each day when the court is in session for hearing causes.

RULE 7

Rehearings

A petition for a rehearing of any cause submitted to this court may be filed in the clerk's office at any time within 20 days from the date of final decision therein, unless further time be granted by the court or a judge thereof. Such petitions shall be printed and served upon opposing counsel in the same manner provided herein for briefs, and 15 copies thereof shall be filed with the clerk. The petition in each case shall be confined to a brief statement of points supposed to have been overlooked or misapprehended by the court, with proper references to the particular portion of the transcript of the record or original briefs relied upon, and with authorities and suggestions, concisely stated, in support of the points. The opposing party may at any time within 10 days thereafter, unless further time be granted, file with the clerk his objections to the granting of said petition, which shall be printed and served in a like manner as said petition, and the question shall thereupon be deemed submitted for decision: Provided, That if the party resides west of the Rocky Mountains there shall be allowed 10 days additional time for filing said petition or objections. Argumentative matter in the petition or in the objections to the grant thereof will not be permitted. Any petition or objection violating this rule will be stricken.

RULE 8

Testimony—Character of to Be Indicated

Where transcripts of testimony appear in records filed in this court, all questions on direct examination shall be designated by "Q.," all questions on cross-examination by "X. Q.," on redirect by "R. Q.," and on recross-examination by "R. X. Q." Answers shall be designated by "A." Where depositions appear in the record, it shall not be necessary to print therein the commission or dedimus, unless error is assigned thereon. In printing such depositions, all interrogatories shall be followed, immediately, by their answers.

RULE 9

Sundays and Legal Holidays

Wherever days are mentioned in these rules as limitations of time, they shall be construed to exclude Sundays and legal holidays, but to include Saturday half holidays. When the time fixed by an order of court for doing any act elapses on a Sunday or legal holiday, such time shall extend to and include the next succeeding day that is not a Sunday or legal holiday.

RULE 10

Testimony in other than English Language

All testimony, papers, or exhibits, in any language other than English, incorporated in the record of any case appealed to this court, shall be accompanied by a correct translation of the same into the English language. By stipulation of counsel, the original copy need not be printed: Provided, This rule shall not apply to entries and invoices in customs cases.

RULE 11

Motions

Every motion to the court shall be typewritten or printed, and shall state clearly its object and the facts upon which it is based. Oral argument will not be heard on any motion unless the court specially assigns it therefor, when such time shall be allowed for argument as the court shall fix. Notice of such motion shall be served upon the opposing party or his counsel a reasonable time before the hearing thereof, and proof of such service shall accompany and be filed with the motion.

RULE 12

Diminution of Record

No certiorari to correct diminution of the record will be awarded in any case, unless a typewritten or printed motion therefor shall be made, and the facts on which the same is founded shall be shown, unless stipulated, by the affidavit of the party or his attorney of record. Such affidavit shall also show that the omitted matter is material and necessary to the fair trial of the case on its merits and that the suggestion is not made for delay. The costs for printing and supervising such additional matter will be assessed by the court on final decision.

*RULE 13

Documentary Exhibits Must Be Printed

In no case will the court consider as evidence any documentary exhibit not certified to be a part of the record in the case by the court or tribunal from which the appeal is taken.

All documentary exhibits transmitted to the clerk and certified to be a part of the record in the case to which they pertain shall be printed as a part of the record, unless the court, or a judge thereof, shall otherwise order, or unless the parties shall stipulate that specified exhibits or designated parts thereof are not necessary to the decision of the case, in which latter case they need not be printed and will not be considered by the court in arriving at its decision: Provided, however, That if the clerk of this court shall find that the nature of any documentary exhibit is such that it is impracticable to reproduce it in printed form, the same shall not be printed: Provided, further, That this rule shall not apply to invoices and entry papers in customs cases.

RULES APPLICABLE TO CUSTOMS CASES

RULE 14

Process

There shall be a process to be issued to the United States Customs Court, which shall be called a mandate, and shall in terms direct the transmission to this court in proper cases of proceedings taken and had before said United States Customs Court. Such mandate shall be made returnable in 30 days, and the time for said return may be extended, upon application to the court or a judge thereof, at chambers, and upon good cause shown.

RULE 15

Review

Any party feeling aggrieved at any decision of the United States Customs Court and who may be entitled, under the provisions of chapter 8 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, or any amendment thereof, to have a review of said decision, may, within the time fixed by said act or any amendment thereof, apply to this court for a review of the same, as provided by law.

RULE 16

Assignment of Errors

The party seeking a review of any appealable decision of the United States Customs Court shall file with the clerk of this court, in duplicate, a concise statement of the errors of law and fact complained of, and a copy of such statement shall be served on the collector or on the importer, owner, consignee, agent, or attorney, as the case may be, either by mail or by delivering the same personally to the party to be served or to his attorney, who shall have regularly appeared before said United States Customs Court on or before the date of such application. Such service, in case of mailing, shall be by depositing in a post office a copy of such statement in a sealed envelope plainly addressed to the party or attorney to be served, at his place of business or residence, with postage thereon fully prepaid. In all cases where the United States is not the appellant, such application for review shall be accompanied by the filing fee of $6.

RULE 17

Mandate

Upon the filing of said application for review, a mandate shall issue to said United States Customs Court directing said court to transmit to this court the records and evidence taken by it, together with a certified statement of the facts involved in the case and the decision thereon, together with all samples and exhibits used before it.

RULE 18

Calendar

All cases appealed to this court shall be placed upon the calendar, in the order in which they are received, and such cases shall stand for hearing and submission in that order without notice; provided, the hearing of any case may be postponed for good cause shown. On motion of either party, with due notice to the other side, or upon its own motion, the court, or the presiding judge, may advance on the calendar cases that are of unusual importance, or whenever other considerations of public policy make such action appear desirable.

RULE 19

Records and Briefs

1. The appellant shall, within 14 days from the filing of such return provided for in Rule XVII, or within such further time as may be allowed by the court or a judge thereof at chambers, deposit with the clerk, upon notice to him or his counsel, a sum sufficient to meet the cost of printing the record. As soon as the record is printed the clerk shall retain at least 15 copies for the use of the court, and furnish not less than 10 copies to the appellant, who shall serve not less than 3 copies on the appellee or his counsel.

2. Within 30 days after receipt of the printed record, appellant shall serve on the appellee, or his counsel, not less than 3 printed copies of his brief, and within 30 days thereafter the appellee shall serve not less than 3 printed copies of his brief on the appellant, or his counsel: Provided, That if the importer resides west of the Rocky Mountains, there shall be allowed 10 days additional time for depositing the cost of printing the record and for the serving of briefs on both sides. Both sides shall, within the times above specified, file not less than 15 copies of their briefs with the clerk. An extension of time for filing of briefs may be made by the court, or any judge thereof, on motion, supported by an affidavit or affida-

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*"In view of some misunderstanding, it has been thought advisable to explain somewhat the provisions of Rule 13 of the United States Court of Customs and Patent Appeals, relative to the printing of documentary exhibits in the Transcript of Record. This rule was not intended to apply to documentary exhibits impracticable to reproduce in printed form, such as pictures, blue prints, drawings, tabulated forms, and the like. Reproduction of such exhibits in the printed record may be dispensed with by application to the court therefor, or by stipulation of the parties. In addition, the clerk of the court, in the absence of such order or stipulation, will exercise his discretion in selecting from the documentary exhibits such as it may be practicable to print, and is under instructions from the court to administer the rule in a liberal way, to avoid unnecessary expense to litigants."

vits showing good cause therefor. All motions shall be accompanied by a written order, submitted for the approval of the court.

3. During the summer recess of the court that portion of this rule requiring motions and affidavits in support of application for extension of time for filing briefs in customs appeals is suspended until September 27 as to all cases on the calendar, and such extensions may be made by written stipulation of counsel filed in the clerk's office: Provided, however, That the time of filing briefs for appellants shall not be thus extended to a date after August 27, and the time of filing briefs for appellees shall not be thus extended to a date after September 27.

4. Records and briefs shall have a suitable cover containing the title of the court and cause. Records shall be properly indexed and printed under the direction of the clerk of the court. The size of the pages of the records and briefs shall be 9¼ by 6⅛ inches. They shall be printed in 11-point type, be adequately leaded, and the paper must be opaque and unglazed.

RULE 20

Appeals, When Taken

The court shall be open for business on each business day of the year for the purpose of receiving applications for appeal, and on such days writs directed to the United States Customs Court may issue as of course, attested in the name of the presiding judge and signed by the clerk or assistant clerk. In case of a vacancy in the office of the presiding judge, they may be attested in the name of the next judge in the order of precedence as acting presiding judge.

RULE 21

Amendments—Judgments

The court may, in furtherance of justice, permit amendments to processes or proceedings in any case, and on final hearing may affirm, reverse, or modify any ruling, decision, or conclusion of the United States Customs Court, or may reverse and remand for new trial or other appropriate proceeding.

RULE 22

Final Mandate

At the expiration of 30 days after final decision by the court, or sooner, if stipulated by counsel in the case, the court shall issue a mandate to the United States Customs Court for such further proceedings as shall be proper to be taken in pursuance of such decision: Provided, That a petition for rehearing shall act as a stay of said mandate until the same is finally disposed of, and the time of issuance thereof may be further extended by the court or a judge thereof.

RULE 23

Oral Arguments

Oral arguments shall be limited to one hour on a side, except as hereinafter stated, and unless otherwise ordered by the court, and not more than two counsel on a side shall be heard in any case except by special order of the court. In cases on the subject of remission of additional duties, argument shall be limited to one-half hour on each side. In all cases where one side submits on brief the argument shall be limited to one-half hour.

RULE 24

Appearances

It will not be necessary for the Assistant Attorney General in charge of customs cases to file a notice of appearance in this court or to serve such notice on opposing attorneys. Where the appellant is the protestant, if the petition for review is filed by a member of the bar of this court, no separate appearance as attorney will be required, but a notice of appearance shall be served on the Assistant Attorney General, unless such appellant's attorney represented the importer before the United States Customs Court. Where the United States is the appellant, the attorneys for the appellee shall file a notice of appearance in this court and serve a copy of such notice on the Assistant Attorney General.

If the petition for review is subscribed by an attorney not a member of the bar of this court, it may be filed, but no further proceedings shall be had with respect to the same, other than dismissal of the appeal, until either a notice of appearance by a member of the bar of this court, or a notice of appearance by the petitioning party in propria persona, is filed.

RULES APPLICABLE TO APPEALS FROM THE PATENT OFFICE

RULE 25

Petition of Appeal—Transcript of Record

1. Any party desiring to appeal to this court from a decision of the Board of Appeals or the Commissioner of Patents shall file in the clerk's office a petition, addressed to the court, in which he shall briefly set forth and show that he has complied with the requirements of section 4912 and 4913 of the Revised Statutes of the United States to entitle him to an appeal, and praying that his appeal may be heard upon and for the reasons assigned therefor to the commissioner. Said reasons for appeal, having been filed with the Commissioner of Patents and made a part of the record, shall not be repeated in the petition of appeal. Said petition of appeal and a certified copy of the record in the proceeding shall be filed in this court and the case duly docketed within 40 days (exclusive of Sundays and legal holidays) from the date upon which said reasons for appeal were filed with the commissioner of Patents: Provided, That the commissioner may for special and sufficient cause extend such time to some definite and fixed date: Provided further, That in inter partes cases appellant shall, at the time of filing said petition of appeal in this court, or within 10 days thereafter, serve a copy thereof upon appellee or his counsel.

If said petition of appeal and copy of said record shall not be filed within said period of 40 days, unless such time be extended by the commissioner as heretofore provided, the commissioner, upon such facts being brought to his attention by motion of the appellee in inter partes cases, duly served upon the appellant or his attorney, and upon his own motion in ex parte appeals, may take such further proceedings in the case as may be necessary to dispose of the same as though no notice of appeal had ever been given.

2. All certified copies of papers and evidence on appeal from the decision of the final appellate tribunal of the Patent Office shall be received by the clerk of this court,

and the cases, by titling and number, shall be placed on a separate docket to be designated as the "Patent appeal docket." The clerk shall, under this titling of the case on the docket, make brief entries of all papers filed and of all proceedings had in the case.

3. In making up the transcript of record on appeal it shall be the duty of the Commissioner of Patents to omit the following:

(a) Face and back of file wrappers; formal indorsements on backs of papers.

(b) Printed letterheadings and the like. (Examiners' letters and other office letters need show only the date, address, short title, and number of case, body of letter, and signature.)

(c) Notices of publication, of hearings, of decisions, of allowance, of receipt of fees, reference slips, interference cards, and the like (except when material to some question raised on the appeal, and then merely a memorandum need be made—e. g., "Memorandum: Notice of allowance mailed to ——— ———, address ———, date ——— —, ———").

(d) A patent or other instrument once inserted shall not be inserted a second time, but reference made thereto by memorandum if necessary.

(e) Further to reduce the costs of appeals, it shall be permissible for counsel for the respective parties, subject to the approval of the Commissioner of Patents, to agree upon a statement of the facts of the case, setting forth the questions raised on appeal and so much only of the evidence as may be necessary to a decision of such question. Such statement shall be in duplicate signed by counsel for the parties and filed with the Commissioner of Patents. When so filed, one of the duplicates, together with the decisions of the office, shall constitute the record on appeal and shall be certified accordingly.

4. Appeals from decisions of the Board of Appeals and the Commissioner of Patents shall be subject to all the rules of this court provided for other cases therein, except where such rules, from the nature of the case, or by reason of special provisions inconsistent therewith, are not applicable.

RULE 26

Printing of Records and Briefs

1. The clerk shall, immediately upon the filing of the transcript of record, cause an estimate to be made of the costs of printing the same or the parts thereof necessary to be printed under the rules of this court, together with the clerk's fee for supervising the printing, and shall notify the party so docketing the case of the amount of the estimate, and if he shall not pay the amount so ascertained within 30 days thereafter, the clerk shall notify the adverse party (provided he shall have taken a cross appeal), and he may pay it within ten days; and if neither party shall pay the amount, such appeal shall be dismissed: Provided, That the court or any judge thereof may, upon motion, for good cause shown extend the time for printing the record: And provided further, That in cases in which the time limit is reached during the summer recess of the court the said amount may be paid on or before September 1.

2. The printing of said transcripts shall be under the supervision of the clerk of this court, and he shall properly index the matter contained in such transcripts and shall distribute copies as directed by the rules or practice of the court.

The size of said printed transcripts shall be 7⅝ by 10¼ inches and the type matter shall be 4 1/6 by 7 1/6 inches. They shall be printed in 11-point type and adequately leaded; and the paper must be opaque and unglazed.

Briefs shall in all cases conform to the size of the transcript, and the type matter shall conform as nearly as possible to that provided for the transcript, but in no event shall the type be smaller than 11-point type.

3. In appeals in matters of application for patent, the transcript of the record shall contain, in addition to the other matters of record certified by the Patent Office, separately and at the end of the transcript, under the heading Rejected Claims, a true and correct copy of all rejected claims which are in issue in the appeal, in straight reading matter and without caret or other interlineations. If any claims of the applicant shall have been allowed, and a consideration of the same shall be involved in the issues presented on appeal, a like copy of said allowed claims shall immediately follow the rejected claims, under the heading Allowed Claims. It will not be necessary to include either the rejected or allowed claims elsewhere in the record, except by reference, unless they constitute a part of the decisions of the tribunals of the Patent Office: Provided, That where the action of the Patent Office upon motions for amendment or substitution of claims is in issue, then sufficient shall be shown in the transcript of the record to fully develop this issue.

In all cases of interference, the counts of the interference shall be printed in a like manner, under the heading Interference Counts.

In opposition, interference, and cancellation trade-mark cases, the transcript of the record shall contain a copy of the trade-mark proposed to be registered or canceled, and of the trade-mark and registration thereof, if any, which is relied upon by the opposer, applicant for cancellation, or party in interference.

RULE 27

Argument of Patent Cases and the Preparation Therefor

1. Not more than two counsel shall be heard for each party appellant and appellee, in the argument of the cause, except by special leave of the court, upon sufficient reason shown.

2. Forty-five minutes for appellant and 30 minutes for appellee, in patent interference matters, and in ex parte and trade-mark cases one-half hour on each side, shall be allowed in oral argument, unless otherwise ordered by the court. The time may be apportioned between counsel on the same side at their discretion. In all cases, however, a full and fair opening must be made. Any case may be submitted on briefs, when reached in regular order, if counsel choose to submit the same in that manner. When a case is reached on the regular call, if briefs have been filed and no counsel appear to present oral argument, the case will be regarded as submitted on briefs.

3. For the appellant there shall be filed with the clerk of the court 15 copies of his printed brief within 40 days after the record shall have been printed: Provided, however, That if such period of 40 days expires in vacation, and prior to October 1, appellant shall have until said date to file his brief. And provided further, That at the time of filing his brief the appellant shall serve three copies of the same upon the appellee or his counsel of record in the Patent Office. The brief for the appellant shall contain, in the order here stated:

(a) A concise statement of the case, presenting succinctly the questions involved and the manner in which they are raised.

(b) Such of the errors as shall be relied upon.

(c) A clear statement of the points of law or fact to be discussed, with reference to the pages of the record and the authorities relied on in support of each point.

(d) Whenever a decision of this court that has been published in the official reports of the court shall be cited in a brief, the reference shall include the volume and page of the report wherein the same has been published.

(e) Every brief of more than 15 pages shall contain on its front fly leaves a subject index with page references, the subject index to be supplemented by a list of all cases referred to, together with references to pages where the cases are cited.

4. For the appellee there shall be filed with the clerk 15 copies of the brief for his side of the case within 30 days from the filing of appellant's brief: Provided, That if said period of 30 days expires in vacation, he shall have 30 days after the first of October to file his brief.

At the time of filing his brief in this court the appellee shall serve three copies on appellant or his counsel of record. Such brief shall be of like character to that required of the appellant, except that no statement of the case is required, unless that presented by the appellant be controverted or denied to be sufficiently full and complete to present the questions for review.

The time for filing briefs may be extended by stipulation of counsel filed in the clerk's office, where such extension will not delay the assignment of the case for argument and when such stipulation is filed within the time provided by these rules for the filing of briefs. Except by leave of the court, or a judge thereof, for extraordinary reasons shown, no party will be permitted to file a brief after the expiration of the time allowed as fixed by these rules (including the time allowed by extension granted in the ways herein provided).

Where an extension of time is desired that may delay the hearing, it must be applied for by motion, and will be granted only for good cause shown. Such extensions may be granted by the court or by any judge thereof.

When a case is called for hearing, if the appellant's brief is not on file, the appeal may be dismissed.

5. When, according to the provisions of this rule, the appellee is in default, he will not be heard, except upon request of the court.

6. The appellant in this court shall be entitled to open and conclude the case; but where there are cross appeals they shall be argued together as one case and the junior party shall be entitled to open and conclude the argument in this court.

7. When a case is called for argument at two successive terms, and upon the call at the second term neither party is prepared to proceed with the argument, the appeal shall be dismissed at the cost of the appellant, unless sufficient cause be shown for further postponement.

8. A case shall not be assigned for hearing until the briefs are filed or the time for filing them has elapsed: Provided, That parties may by agreement expedite the printing of the transcript and the printing of briefs and, by leave of court, may have the appeal assigned for hearing at an earlier day.

RULE 28

Call of Patent Docket

The cases on this docket shall be placed on the calendar in the order in which they are received and be called for argument on the first Monday of January, March, May, and November in each year, unless otherwise ordered by the court, and the cases shall be called in regular order as they may stand on the docket, unless otherwise ordered by the court or the presiding judge. A copy of these rules shall be furnished to the Commissioner of Patents, and it shall be the duty of the clerk of this court to give special notice to the commissioner at least three weeks immediately preceding the times thus respectively fixed for the hearing of the cases, the notice to name the place of the sitting of the court, the titling of the cases on the docket of this court, the respective numbers thereof, and the number of each case as it appears of record in the Patent Office, and thereupon the commissioner shall give notice to the parties interested or concerned by notice addressed to them severally by mail.

RULE 29

Models and Exhibits

1. Models and exhibits of material forming part of the evidence taken in the Patent Office in any case pending in this court shall be placed in the custody of the clerk of this court at least three days before the case is heard or submitted.

2. All models and exhibits of material placed in the custody of the clerk for the inspection of the court on the hearing of the case must be taken away by the parties within 20 days after the case is finally concluded. When this is not done, it shall be the duty of the clerk to notify the counsel in the case and the Commissioner of Patents, by mail or otherwise, of the requirement of this rule, and if the articles are not removed within 10 days after the notice is given he shall destroy them or make such other disposition of them as to him may seem best.

RULES APPLICABLE TO APPEALS FROM THE UNITED STATES TARIFF COMMISSION

RULE 30

Appeals to this court from the United States Tariff Commission shall be subject to the rules hereinbefore provided under the headings "General" and "Rules applicable to customs cases."

ORGANIC ACTS

Sec. 188. There shall be a United States Court of Customs and Patent Appeals, which shall consist of a presiding judge and four associate judges, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary of twelve thousand five hundred[3] dollars a year. The presiding judge shall be so designated in the order of appointment and in the commission issued to him by the President; and the associate judges shall have precedence according to the date of their commissions. Any three members of said court shall constitute a quorum, and the concurrence of three members shall be necessary to any decision thereof. In case of a vacancy or of the temporary inability, or disqualification, for any reason, of one or two of the judges of said court, the President may, upon the request of the presiding judge of said court, designate any qualified United States circuit or district judge or judges to act in his or their place; and such circuit or district judges shall be duly qualified to so act.

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[3] Act of December 13, 1926.

Sec. 189. The said Court of Customs and Patent Appeals shall always be open for the transaction of business, and sessions thereof may, in the discretion of the court, be held in the several judicial circuits, and at such places as said court may from time to time designate. Any judge who, in pursuance of the provisions of this chapter, shall attend a session of said court at any place other than the city of Washington, shall be paid, upon his written and itemized certificate, by the marshal of the district in which the court shall be held, his actual and necessary expenses incurred for travel and attendance, and the actual and necessary expenses of one stenographic clerk who may accompany him; and such payments shall be allowed the marshal in the settlement of his accounts with the United States.

Sec. 190. Said court shall have the services of a marshal, with the same duties and powers, under the regulations of the court, as are now provided for the marshal of the Supreme Court of the United States, so far as the same may be applicable. Said services within the District of Columbia shall be performed by a marshal, to be appointed by and to hold office during the pleasure of the court, who shall receive a salary of * * *[4] dollars per annum. Said services outside of the District of Columbia shall be performed by the United States marshals in and for the districts where sessions of said court may be held; and to this end said marshals shall be the marshals of said court. The marshal of said court, for the District of Columbia, is authorized to purchase, under the direction of the presiding judge, such books, periodicals, and stationery as may be necessary for the use of said court; and such expenditures shall be allowed and paid by the Secretary of the Treasury upon claim duly made and approved by said presiding judge.

Sec. 191. The court shall appoint a clerk, whose office shall be in the city of Washington, District of Columbia, and who shall perform and exercise the same duties and powers in regard to all matters within the jurisdiction of said court as are now exercised and performed by the clerk of the Supreme Court of the United States, so far as the same may be applicable. The salary of the clerk shall be * * * dollars per annum, which sum shall be in full payment for all service rendered by such clerk; and all fees of any kind whatever and all costs shall be by him turned into the United States Treasury. Said clerk shall not be appointed by the court or any judge thereof as a commissioner, master, receiver, or referee. The costs and fees in the said court shall be fixed and established by said court in a table of fees to be adopted and approved by the Supreme Court of the United States within four months after the organization of said court: Provided, That the costs and fees so fixed shall not, with respect to any item, exceed the costs and fees charged in the Supreme Court of the United States; and the same shall be expended, accounted for, and paid over to the Treasury of the United States.

Sec. 192. In addition to the clerk, the court may appoint an assistant clerk at a salary of * * * dollars per annum, five stenographic clerks at a salary of * * * dollars per annum each, one stenographic reporter at a salary of * * * dollars per annum, and a messenger at a salary of * * * dollars per annum, all payable in equal monthly installments, and all of whom, including the clerk, shall hold office during the pleasure of and perform such duties as are assigned them by the court. Said reporter shall prepare and transmit to the Secretary of the Treasury once a week in time for publication in the Treasury Decisions copies of all decisions rendered to that date by said court, and prepare and transmit, under the direction of said court, at least once a year, reports of said decisions rendered to that date, constituting a volume, which shall be printed by the Treasury Department in such numbers and distributed or sold in such manner as the Secretary of the Treasury shall direct.

Sec. 193. The marshal of said court for the District of Columbia and the marshals of the several districts in which said Court of Customs and Patent Appeals may be held shall, under the direction of the Attorney General and with his approval, provide such rooms in the public buildings of the United States as may be necessary for said court: Provided, That in case proper rooms can not be provided in such buildings, then the said marshals, with the approval of the Attorney General, may, from time to time, lease such rooms as may be necessary for said court. The bailiffs and messengers of said court shall be allowed the same compensation for their respective services as are allowed for similar services in the existing district courts. In no case shall said marshals secure other rooms than those regularly occupied by existing district courts, or other public officers, except where such can not, by reason of actual occupancy or use, be occupied or used by said Court of Customs and Patent Appeals.

Sec. 194. The said Court of Customs and Patent Appeals shall be a court of record, with jurisdiction as in this chapter established and limited. It shall prescribe the form and style of its seal, and the form of its writs and other process and procedure, and exercise such powers conferred by law as may be conformable and necessary to the exercise of its jurisdiction. It shall have power to establish all rules and regulations for the conduct of the business of the court, and as may be needful for the uniformity of decisions within its jurisdiction as conferred by law. It shall have power to review any decision or matter within its jurisdiction, and may affirm, modify, or reverse the same and remand the case with such orders as may seem to it proper in the premises, which shall be executed accordingly.

Sec. 195.[5] The Court of Customs and Patent Appeals established by this chapter shall exercise exclusive appellate jurisdiction to review by appeal, as herein provided, final decisions by the United States Customs Court in all cases as to the construction of the law and the facts respecting the classification of merchandise and the rate of duty imposed thereon under such classification, and the fees and charges connected therewith, and all appealable questions as to the jurisdiction of said court, and all appealable questions as to the laws and regulations governing the collection of the customs revenues; and the judgments and decrees of said Court of Customs and Patent Appeals shall be final in all such cases: Provided, however, That in any case in which the judgment or decree of the Court of Customs and Patent Appeals is made final by the provisions of this title, it shall be competent for the Supreme Court, upon the petition of either party, filed within sixty days[6] next after the issue by the Court of Customs and Patent Appeals of its mandate upon decision [in any case in which there is drawn in question the construction of the Constitution of the United States, or any part thereof, or of any treaty made pursuant thereto, or in any other case when the Attorney General of the United States shall, before the decision of the Court of Customs and Patent Appeals is rendered, file with the court a certificate to the effect that the case is of such importance as to render expedient its review by the Supreme Court][7] to require, by certiorari or otherwise, such case to be certified to the Supreme Court for its review and determination, with the same power and authority in the case as if it had been carried by appeal or writ of error to the Supreme Court: And provided further, That this act shall not apply to any case involving only the construction of section one, or any portion thereof, of an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August fifth, nineteen hundred and nine, nor to any case involving the construction of section two of an act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July twenty-six, nineteen hundred and eleven.[8]

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[4] Salaries of all employees classified under the so-called Welch Act of May 28, 1928.

[5] As amended by the act of August 22, 1914.

Sec. 196. After the organization of said court, no appeal shall be taken or allowed from United States Customs Court to any other court, and no appellate jurisdiction shall thereafter be exercised or allowed by any other courts in cases decided by said United States Customs Court; but all appeals allowed by law from such United States Customs Court shall be subject to review only in the Court of Customs and Patent Appeals hereby established, according to the provisions of this chapter: Provided, That nothing in this chapter shall be deemed to deprive the Supreme Court of the United States of jurisdiction to hear and determine all customs cases which have heretofore been certified to said court from the United States circuit courts of appeals on applications for writs of certiorari or otherwise, nor to review by writ of certiorari any customs case heretofore decided or now pending and hereafter decided by any circuit court of appeals, provided application for said writ be made within six months after August fifth, nineteen hundred and nine: Provided further, That all customs cases decided by a circuit or district court of the United States or a court of a Territory of the United States prior to said date above mentioned, and which have not been removed from said courts by appeal or writ of error, and all such cases theretofore submitted for decision in said courts and remaining undecided may be reviewed on appeal at the instance of either party by the United States Court of Customs and Patent Appeals, provided such appeal be taken within one year from the date of the entry of the order, judgment, or decrees sought to be reviewed.

Sec. 197. Immediately upon the organization of the Court of Customs and Patent Appeals, all cases within the jurisdiction of that court pending and not submitted for decision in any of the United States circuit courts of appeals, United States circuit, territorial or district courts, shall, with the record and samples therein, be certified by said courts to said Court of Customs and Patent Appeals for further proceedings in accordance herewith: Provided, That where orders for the taking of further testimony before a referee have been made in any of such cases, the taking of such testimony shall be completed before such certification.

Sec. 198. If the importer, owner, consignee, or agent of any imported merchandise, or the collector or Secretary of the Treasury, shall be dissatisfied with the decision of the United States Customs Court as to the construction of the law and the facts respecting the classification of such merchandise and the rate of duty imposed thereon under such classification, or with any other appealable decision of said board, they, or either of them, may, within sixty days next after the entry of such decree or judgment, and not afterwards, apply to the Court of Customs and Patent Appeals for a review of the questions of law and fact involved in such decision: Provided, That in Alaska and in the insular and other outside possessions of the United States ninety days shall be allowed for making such application to the Court of Customs and Patent Appeals. Such application shall be made by filing in the office of the clerk of said court a concise statement of errors of law and fact complained of; and a copy of such statement shall be served on the collector, or on the importer, owner, consignee, or agent, as the case may be. Thereupon the court shall immediately order the United States Customs Court to transmit to said court the record and evidence taken by them, together with the certified statement of the facts involved in the case and their decision thereon; and all the evidence taken by and before said board shall be competent evidence before said Court of Customs and Patent Appeals. The decision of said Court of Customs and Patent Appeals shall be final, and such case shall be remanded to said United States Customs Court for further proceedings to be taken in pursuance of such determination.

Sec. 199. Immediately upon receipt of any record transmitted to said Court of Customs and Patent Appeals for determination the clerk thereof shall place the same upon the calendar for hearing and submission; and such calendar shall be called and all cases thereupon submitted, except for good cause shown, at least once every sixty days: Provided, That such calendar need not be called during the months of July and August of any year.

* * * * * * *

Sec. 301. This act shall take effect and be in force on and after January first, nineteen hundred and twelve.

Approved, March 3, 1911.

[*Extract from section 5 of the act of September 14, 1922, entitled "An act for the appointment of an additional circuit judge for the Fourth Judicial Circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes."*]

Sec. 5. Section 18 of the Judicial Code is hereby amended to read as follows:

Sec. 18. * * * The judges of the United States Court of Customs Appeals, or any of them, whenever the business of that court will permit, may, if in the judgment of the Chief Justice of the United States the public interest requires, be designated and assigned by him for service from time to time, and until he shall otherwise direct, in the Supreme Court of the District of Columbia or the Court of Appeals of the District of Columbia, when requested by the Chief Justice of either of said courts.

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[6] Applied for within three months after entry of the judgment or decree complained of. (Sec. 6, act of September 6, 1916.)

[7] Matter inclosed in brackets repealed by sec. 647 of the tariff act of June 17, 1930.

[8] For further provisions enlarging the jurisdiction of the court, see the tariff act of September 21, 1922, sections 316, 501, 515, 516, 517, and 563; also the tariff act of June 17, 1930, sections 337, 501, 515, 516, and 1917.

* * * * * * *

An act to change the title of the United States Court of Customs Appeals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the United States Court of Customs Appeals, created by the Act approved August 5, 1909, is hereby changed to the United States Court of Customs and Patent Appeals.

Sec. 2. (a) The jurisdiction now vested in the Court of Appeals of the District of Columbia in respect of appeals from the Patent Office in patent and trade-mark cases is vested in the United States Court of Customs and Patent Appeals.

(b) Sections 4911 (Forty-fourth Statutes, page 1336), 4912 (section 60, title 35, United States Code), and 4915 (section 63, title 35, United States Code) of the Revised Statutes, as amended, and section 9 of the Act entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," approved February 20, 1905 (United States Code, title 15, section 89), are amended by striking out the words "Court of Appeals of the District of Columbia" wherever they occur therein and inserting in lieu thereof the words "United States Court of Customs and Patent Appeals" in each instance.

(c) Where before the effective date of this Act an appeal from the decision of the Patent Office has been filed with the Court of Appeals of the District of Columbia—

(1) If any hearing before said court has been held in the case, or if the case has been submitted for decision, then further proceedings in respect of the case shall be had in the same manner and with the same effect as if this Act had not been enacted.

(2) If no hearing before said court has been held in the case, and the case has not been submitted for decision, then the appeal, together with the original papers, printed records, and record entries duly certified, shall, by appropriate orders duly entered of record, be transferred to the United States Court of Customs and Patent Appeals, and further proceedings in respect of the case shall be had in the same manner and with the same effect as if the appeal had been filed in said court.

(d) Nothing contained in this Act shall be construed as affecting in any way the jurisdiction of the Court of Appeals of the District of Columbia in equity cases.

Sec. 3. The opinion of the Court of Customs and Patent Appeals in every case on appeal from the decision of the Patent Office shall be rendered in writing, and shall be filed in such case as part of the record thereof, and a certified copy of said opinion shall be sent to the Commissioner of Patents and shall be entered of record in the Patent Office.

Sec. 4. This act shall take effect thirty days after its enactment.

Approved, March 2, 1929.

An act to amend section 305, chapter 8, title 28 of the United States Code relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 305 (Jud. C., sec. 192) of chapter 8 of title 28 of the United States Code be amended to read as follows:

"The reporter of the Court of Customs and Patent Appeals shall prepare and transmit—

"(1) To the Secretary of the Treasury, once a week, in time for printing in the publication entitled 'Treasury Decisions,' copies of all opinions relating to customs rendered by the court to that date;

"(2) To the Commissioner of Patents, once a week, in time for printing in the publication entitled 'Official Gazette,' copies of all opinions relating to patent and trademark appeals rendered to that date by said court.

"The reporter shall cause to be compiled and published, at least once a year, in such manner as the court shall direct, all of the opinions rendered by said court to that date, together with such digests and indexes as the court may deem necessary."

Approved, June 16, 1930.

Section 646 of the Tariff Act of June 17, 1930

Sec. 646. Tenure and retirement of judges of the United States Court of Customs and Patent Appeals.—The judges of the United States Court of Customs and Patent Appeals shall hold office during good behavior. For the purposes of section 260 of the Judicial Code, as amended (relating to the resignation and retirement of judges of courts of the United States), any service heretofore rendered by any present or former judge of such court, including service rendered prior to March 2, 1929, shall be considered as having been rendered under an appointment to hold office during good behavior.

Courts of the U. S. in Admiralty and Maritime Jurisdiction

Promulgated by the Supreme Court of the United States December 6, 1920. 254 U. S. Appendix. (With addition of June 2, 1930.)

Order

It is now here ordered by the court that the rules of practice for the courts of admiralty of the United States this day adopted and established by the courts be, and the same are hereby, promulgated as such to be in force on and after March 7, 1921.

December 6, 1920.

Admiralty Rules of Practice

RULE 1

Process on Filing Libel

No mesne process shall issue from the District Court in any civil cause of admiralty and maritime jurisdiction until the libel, or libel of information, shall have been filed in the clerk's office from which such process is to issue. All process shall be served by the marshal or by his deputy, or, where he or they are interested, by some discreet and disinterested person appointed by the court.

RULE 2

Suits in Personam—Process In—Arrest in Same

In suits in personam the mesne process shall be by a simple monition in the nature of a summons to appear and answer to the suit, or by a simple warrant of arrest of the person of the respondent in the nature of a capias, as the libellant may, in his libel or information pray for or elect; in either case with a clause therein to attach his goods and chattels, or credits and effects in the hands of the garnishees named in the libel to the amount sued for, if said respondent shall not be found within the district. But no warrant of arrest of the persons of the respondent shall issue unless by special order of the court, on proof of the propriety thereof by affidavit or otherwise.

RULE 3

Bail—Imprisonment for Debt

In all suits in personam, where a simple warrant of arrest issues and is executed, bail shall be taken by the marshal and the court in those cases only in which it is required by the laws of the state where an arrest is made on similar or analogous process issuing from the state court.

And imprisonment for debt, on process issuing out of the admiralty court, is abolished, in all cases where, by the laws of the state in which the court is held, imprisonment for debt has been, or shall be hereafter, abolished, on similar or analogous process issuing from a state court.

RULE 4

Bail in Suits in Personam

The marshal shall take from the party arrested, as bail, either sufficient cash or a bond or stipulation in a sufficient sum, with sufficient sureties or an approved corporate surety, to be held by him to secure the appearance of the party so arrested in the suit. And upon such bond or stipulation summary process of execution shall be issued against the principal and sureties or corporate surety by the court to which the process is returnable.

RULE 5

Bond in Attachment Suits in Personam

In all suits in personam, where goods and chattels, or credits and effects, are attached under a process authorizing the same, the attachment shall be dissolved by order of the court to which the process is returnable, on the giving of a bond or stipulation, with sufficient sureties, or an approved corporate surety, by the respondent whose property is so attached, or by some one on his behalf, conditioned to abide by all orders, interlocutory or final, of the court, and to pay the amount awarded by the final decree of the court to which the process is returnable, or in any appellate court, not exceeding, however, the value of the goods so attached with interest at six per centum per annum and costs; and upon such bond or stipulation, summary process of execution shall be issued against the principal and sureties or surety by the court to which the process is returnable, to enforce the final decree so rendered or on appeal by any appellate court.

RULE 6

Bonds—Stipulation—How Given

All bonds or stipulations in admiralty suits may be given and taken in open court, or at chambers, or before the clerk or a deputy clerk or before any commissioner of the court who is authorized by the court to take affidavits of bail and depositions in cases pending before the court, or before any commissioner of the United States authorized by law to take bail and affidavits in civil cases, or otherwise by written agreement of the parties or their proctors of record.

RULE 7

Bonds—Premiums—Taxable as Costs

If costs shall be awarded by the court to either or any party then the reasonable premiums or expense paid on all bonds or stipulations or other security given by that party in that suit shall be taxed as part of the costs of that party.

RULE 8

Reduction of Bail, Bond or Stipulation—New Sureties

In all suits either in rem or in personam, where bail is given or a bond or stipulation is taken, the court may, on motion, for due cause shown, reduce the amount of such bail or may reduce the amount of security given by either bond or stipulation; and in all cases, either in rem or in personam, where a bond or stipulation is given, if either of the sureties or the corporate surety shall be or become insufficient or the security for costs shall for any reason be insufficient pending the suit, new or additional security may be required by order of the court on motion.

RULE 9

Monition to Third Parties in Suits in Rem

In all suits in rem against a ship, and/or her appurtenances if her appurtenances or any of them are in the possession or custody of any third person, the court shall, on due notice to such third person and after hearing, decree that the same be delivered into the custody of the marshal or other proper officer, if on hearing it appears that the same is required by law and justice.

RULE 10

Process in Suits in Rem

In all cases of seizure, and in other suits and proceedings in rem, the process, if issued and unless otherwise provided for by statute, shall be by a warrant of arrest of the ship, goods, or other thing to the arrested; and the marshal shall thereupon arrest and take the ship, goods, or other thing into his possession for safe custody, and shall cause public notice thereof and of the time assigned for the return of such process and the hearing of the cause, to be given in such newspaper within the district as the district court shall order; and if there is no newspaper published therein, then in such other public places in the district as the court shall direct.

RULE 11

Perishable Goods—How Disposed Of

In all cases where any goods or other things are arrested, if the expense of keeping the same is excessive or disproportionate, or if the same are perishable, or are liable to deterioration, decay, or injury, by being detained in custody pending the suit, the court may, on the application of either party, order the same or any portion thereof to be sold; and the proceeds, or so much thereof as shall be full security to satisfy any decree, to be brought into court to abide the event of the suit; or the court may, on the application of the claimant, order a delivery thereof to him, either on the filing of a written agreement of the parties or their proctors of record to that effect, or on a due appraisement, to be had under its direction, unless the value has been agreed to in writing by the parties or their proctors of record, on the claimant's depositing in court so much money as the court shall order, on his giving a stipulation, with sufficient sureties or an approved corporate surety, in such sum as the court shall direct or as shall be agreed upon in writing by the parties or their proctors of record, conditioned to abide by and pay the money awarded by the final decree rendered by the court, or any appellate court, if any appeal intervenes, not to exceed, however, in any event such agreed or appraised value with interest at six per cent per annum and costs, as the one or the other course shall be ordered by the court.

RULE 12

Ship—How Appraised, Sold or Bonded

Where any ship shall be arrested, the same shall, on the application of the claimant, be delivered to him either on a due appraisement, to be had under the direction of the court, or on his filing an agreement in writing to that effect signed by the parties or their proctors of record, and on the claimant's depositing in court so much money as the could shall order, or on his giving a stipulation for like amount, with sufficient sureties, or an approved corporate surety, conditioned as provided in the foregoing rule; and if the claimant shall unreasonably neglect to make any such application, then the court may, on the application of either party, on due cause shown, order a sale of such ship, and require the proceeds thereof to be brought into court or otherwise disposed of.

RULE 13

Seamen's Wages—Materialmen—Remedies

In all suits for mariners' wages or by materialmen for supplies or repairs or other necessaries, the libellant may proceed in rem against the ship and freight and/or in personam against any party liable.

RULE 14

Pilotage—Collision—Remedies

In all suits for pilotage or damage by collision, the libellant may proceed in rem against the ship and/or in personam against the master and/or the owner.

RULE 15

Assault or Beating—Remedies

In all suits for an assault or beating on the high seas, or elsewhere within the admiralty and maritime jurisdiction, the suit shall be in personam only.

RULE 16

Maritime Hypothecation—Remedies

In all suits founded upon a mere maritime hypothecation of ship or freight, either express or implied, by the master for moneys taken up in a foreign port for supplies or repairs or other necessaries for the voyage, without any claim of maritime interest, the libellant may proceed in rem and/or in personam against the master and/or the owners.

RULE 17

Bottomry Bonds—Remedies

In all suits on bottomry bonds, properly so called, the suit shall be in rem only against the property hypothecated, or the proceeds of the property, in whosesoever hands the same may be found, unless the master has, without authority, given the bottomry bond, or by his fraud or misconduct has avoided the same, or has subtracted the property, or unless the owner has, by its own misconduct or wrong, lost or subtracted the property, in which latter cases the suit may be in personam against the wrongdoer.

RULE 18

Salvage—Remedies

In all suits for salvage, the suit may be in rem against the property saved, or the proceeds thereof, and/or in personam against any party liable for the salvage service.

RULE 19

Petitory or Possessory Suits

In all petitory and possessory suits between part owners or adverse proprietors, or by the owners of a ship or the majority thereof, against the master of a ship, for the ascertainment of the title and delivery of the possession, or for the possession only, or by one or more part owners against the others to obtain security for the return of the ship from any voyage undertaken without their consent, or by one or more part owners against the others to obtain possession of the ship for any voyage, on giving security for the safe return thereof, the process shall be by an arrest of the ship, and by a monition to the adverse party or parties to appear and make answer to the suit.

RULE 20

Execution on Decrees

In all cases of a final decree for the payment of money, the libellant shall have a writ of execution, in the nature of a fieri facias, commanding the marshal or his deputy to levy and collect the amount thereof out of the goods and chattels, lands and tenements, or other real estate of the respondent, claimant, or stipulators. And any other remedies shall be available that may exist under the state or federal law for the enforcement of judgments or decrees.

RULE 21

Requisites of Libel of Information

All informations and libels of information upon seizures for any breach of the revenue, or navigation or other laws of the United States, shall state the place of seizure, whether it be on land or on the high seas, or on navigable waters within the admiralty and martime jurisdiction of the United States, and the district within which the property is brought and where it then is. The information or libel of information shall also propound in distinct articles the matters relied on as grounds or causes of forfeiture, and aver the same to be contrary to the form of the statute or statutes of the United States in such case provided, as the case may require, and shall conclude with a prayer of due process to enforce the forfeiture, and to give notice to all persons concerned in interest to appear and show cause at the return-day of the process why the forfeiture should not be decreed.

RULE 22

Requisites of Libel in Instance Causes

All libels in instance causes, civil or maritime, shall be on oath or solemn affirmation and shall state the nature of the cause, as, for example, that it is a cause, civil and maritime, of contract, or a tort or damage, or of salvage, or of possession, or otherwise, as the same may be; and, if the libel be in rem, that the property is within the district; and, if in personam, the names and places of residence of the parties so far as known. The libel shall also propound and allege in distinct articles the various allegations of fact upon which the libellant relies in support of his suit, so that the respondent or claimant may be enabled to answer distinctly and separately the several matters contained in each article; and it shall conclude with a prayer for due process to enforce his rights in rem, or in personam, as the case may be, and for such relief and redress as the court is competent to give in the premises.

RULE 23

Amendments to Libels

In all informations and libels in causes of admiralty and maritime jurisdiction, amendments in matters of form may be made at any time, on motion to the court, as of course. And new counts may be filed, and amendments in matters of substance may be made, on motion, at any time before the final decree, on such terms at the court shall impose. And where any defect of form is set down by the respondent or claimant upon special exceptions, and is allowed, the court may, in granting leave to amend, impose terms on the libellant.

RULE 24

Stipulations for Costs

In all cases the court may, on the filing of a libel or on the appearance of any respondent, or claimant, or at any other time, require the libellant, respondent, or claimant, or either of them to give a stipulation or an additional stipulation with sufficient sureties, or an approved corporate surety, in such sum as the court shall direct, to pay all costs and expenses which shall be awarded against him, it or them, by final decree of the court, or by any interlocutory order in the progress of the suit, or an appeal by any appellate court.

RULE 25

Claims—How Verified—Claimant's Bonds

In suits in rem the party claiming the property shall verify his claim on oath or solemn affirmation, stating that the claimant by whom or on whose behalf the claim is made is the true and bona fide owner. And where the claim is put in by an agent or consignee, he shall also make oath that he is duly authorized thereto by the owner; or, if the property be, at the time of the arrest, in the possession of the master or a ship, that he is the lawful bailee thereof for the owner. And, on putting in such claim, the claimant shall file a bond or stipulation for costs as above provided.

RULE 26

Answers—Requisites Of

In all libels in causes of civil and maritime jurisdiction, whether in rem or in personam, the answers of or on behalf of the respondent or claimant to the libels and interrogatories shall be on oath or solemn affirmation; and all answers shall be full and explicit and distinct to each separate article and separate allegation in the libel, in the same order as numbered in the libel, and shall also answer in like manner or except to each interrogatory propounded by the libellant. But this rule shall not apply to cases where the sum or value in dispute does not exceed fifty dollars, exclusive of costs, unless the District Court shall be of opinion that the proceedings prescribed herein are necessary for the purposes of justice in the case before the court.

RULE 27

Pleadings—Interrogatories—Exceptions To

Either party may except to the sufficiency, fullness, distinctness, relevancy or competency of any of the pleadings or interrogatories filed by the other party; and if the court shall so adjudge on a hearing on the exceptions, and shall order further pleadings or answers to be filed by either party, such pleadings or answers shall be filed within such time and on such terms as the court may direct.

RULE 28

Default or Failure to Answer

If the respondent or claimant shall omit or refuse to make due answer to the libel upon the return day of the process, or other day assigned by the court, the court may pronounce him to be in contumacy and default and thereupon shall proceed to hear the cause ex parte, and adjudge therein as to law and justice shall appertain. But the court may set aside the default and upon the application of the respondent or claimant admit him to make answer to the libel on such terms as the court may direct.

RULE 29

Effect of Failure to Answer Fully

In all cases where the respondent or claimant answers, but does not answer fully and explicitly and distinctly to all the matters in any article of the libel, and exception is taken thereto by the libellant, and the exception is allowed, the court may, by attachment or otherwise, compel the respondent or claimant to make further answer thereof; or may make such other order in the cause as it shall deem most fit to promote justice.

RULE 30

What Either Party May Object to Answering

Either party may object by proper pleadings to answering any allegation contained in any pleading or interrogatory filed by the other party which will tend to expose him, it, or them, to any prosecution or punishment for crime, or for any penalty or any forfeiture of his, its or their property for any penal offense.

RULE 31

Interrogatories May Be Required to Be Answered Under Oath

Either party shall have the right to require the personal answer of the other party or of its proper officer on oath or solemn affirmation to all interrogatories propounded by him, it or them, in the libel, answer or otherwise as may be ordered by the court on cause shown and required to be answered. In default of due answer by either party to such interrogatories, the court may adjudge such party to be in default and enter such order in the cause as it shall deem most fit to promote justice.

RULE 32

Discovery of Documents Before Trial

After joinder of issue, and before trial, any party may apply to the court for an order directing any other party, his agent or representative, to make discovery, on oath, of any documents which are, or have been, in his possession or power relating to any matter or question in issue. And the court may order the production, by any party, his agent or representative, on oath, of such of the documents in his possession or power relating to any matter in question in the cause as the court shall think right, and the court may deal with such documents, when produced, in such manner as shall appear just.

RULE 33

How Verification of Answer to Interrogatory Obviated

Where either the libellant or the respondent or claimant is out of the country, or unable, from sickness or other casualty, to make an answer to any interrogatory on oath or solemn affirmation at the proper time, the court may, in its discretion in furtherance of the due administration of justice, dispense therewith, or may award a commission to take the answer of the respondent or claimant when and as soon as it may be practicable or may receive a verification by agent or attorney with like force and effect as if made by the party.

RULE 34

How Third Party May Intervene

If any third person shall intervene in any cause of admiralty and maritime jurisdiction in rem for his own interest, and he is entitled, according to the course of admiralty proceedings, to be heard therein, he shall propound the matter in suitable allegations, to which, if admitted by the court, the other party or parties in the suit may be required, by order of the court, to make due answer; and such further proceedings shall be had and decree rendered by the court therein as to law and justice shall appertain. But every such intervenor shall be required, on filing his allegations, to give a stipulation with sufficient sureties or an approved corporate surety to abide by the final decree rendered in the cause, and to pay all such costs and expenses and damages as shall be awarded against him by the court on the final decree, whether it is rendered in the original or appellate court, not to exceed, however, in any event the agreed or appraised value of the property so claimed by him, it, or them, with interest at six per cent. per annum and costs.

RULE 35

Exceptions to Pleadings for Surplusage or Scandal

Exceptions may be taken to any libel, allegation, answer or other pleadings for surplusage, impertinence or scandal; and if on hearing the matter excepted to shall be held to be so objectionable it shall be expunged on such terms as the court may direct.

RULE 36

Procedure Against Garnishee

In cases of foreign attachment, the garnishee shall be required to answer on oath or solemn affirmation as to the debts, credits, or effects of the respondent or claimant in his hands, and to such interrogatories touching the same as may be propounded by the libellant; and if he shall refuse or neglect so to do, the court may award compulsory process in personam against him. If he admits any debts, credits or effects, the same shall be held in his hands, or paid into the registry of the court and shall be held in either case subject to the further order of the court.

RULE 37

Bringing Funds Into Court

In cases of mariners' wages, or bottomry, or salvage, or other proceeding in rem, where freight or other proceeds of property are attached to or are bound by the suit which are in the hands or possession of any person, the court may, on due application, by petition of the party interested, require the party charged with the possession thereof to appear and show cause why the same should not be brought into court to answer the exigency of the suit, and if no cause be shown, the court may order the same to brought into court to answer the exigency of the suit, and on failure of the party to comply with the order may award an attachment, or other compulsory process to compel obedience thereto.

RULE 38

Dismissal for Failure to Prosecute

If, in any admiralty suit, the libellant shall not appear and prosecute his suit, and comply with the orders of the court, he shall be deemed in default and contumacy; and the court may, on the application of the respondent or claimant, pronounce the suit to be deserted, and the same may be dismissed with costs.

RULE 39

Reopening Default Decrees

The court may, in its discretion, on motion of the respondent or claimant and the payment of costs, rescind the decree in any suit in which, on account of his contumacy and default, the matter of the libel shall have been decreed against him, and grant a rehearing thereof at any time within sixty days after the decree has been entered, the respondent or claimant submitting to such further orders and terms in the premises as the court may direct; and the term of the court shall be deemed extended for this purpose until the expiration of such period of sixty days.

RULE 40

Sales in Admiralty

All sales of property under any decree of admiralty shall be made by the marshal or his deputy, or other proper officer assigned by the court, where the marshal is a party in interest, in pursuance of the orders of the court; and the proceeds thereof, when sold, shall be forthwith paid into the registry of the court by the officer making the sale, to be disposed of by the court according to law.

RULE 41

Funds in Court Registry

All moneys paid into the registry of the court shall be deposited in some bank designated by the court, and shall be so deposited in the name of the court, and shall not be drawn out, except by a check or checks signed by a judge of the court and countersigned by the clerk, stating on whose account and for whose use it is drawn, and in what suit and out of what fund in particular it is paid. The clerk shall keep a regular book containing a memorandum and copy of all of the checks so drawn and the date thereof.

RULE 42

Claims Against Proceeds in Registry

Any person having an interest in any proceeds in the registry of the court shall have a right, by petition and summary proceedings, to intervene pro interesse suo for delivery thereof to him, and on due notice to the adverse parties, if any, the court shall and may proceed summarily to hear and decide thereon, and to decree therein according to law and justice. And if such petition or claim shall be deserted, or on a hearing, be dismissed, the court may, in its discretion, award costs against the petitioner in favor of the adverse party.

RULE 43

Reference to Commissioners

In cases where the court shall deem it expedient or necessary for the purposes of justice, it may refer any matters arising in the progress of the suit to one or two commissioners or assessors, to be appointed by the court, to hear the parties and make report therein. And such commissioners or assessors shall have and possess all the powers in the premises which are usually given to or exercised by matters in chancery in references to them, including the power to administer oaths to and examine the parties and witnesses touching the premises.

RULE 44

Right of Trial Courts to Make Rules of Practice

In suits in admiralty cases not provided for by these rules or by statute, the District Courts are to regulate their practice in such a manner as they deem most expedient for due administration of justcie, provided the same are not inconsistent with these rules.

RULE 45

Further Proof on Appeal

Further proof taken by leave of a Circuit Court of Appeals or the Supreme Court on an appeal in admiralty shall be taken in such manner as may be prescribed by statute or by said court.

RULE 46

Evidence—How Taken

In all trials in admiralty the testimony of witnesses shall be taken orally in open court, except as otherwise provided by statute, or agreement of parties. When deemed necessary by the court or the officer taking the testimony or by the parties, a stenographer may be employed who shall take down the testimony in shorthand or otherwise and, if requested by the court or either party, transcribe the same. The fees may be fixed by the court and taxed as costs.

RULE 46½

In deciding cases of admiralty and maritime jurisdiction the court of first instance shall find the facts specially and state separately its conclusions of law thereon; and its findings and conclusions shall be entered of record and, if an appeal is taken from the decree, shall be included by the clerk in the record which is certified to the appellate court under Rule 49.

RULE 47

Costs—Travel of Witnesses

Traveling expenses of any witness for more than one hundred miles to and from the court or place of taking the testimony shall not be taxed as costs.

RULE 48

Issue on New Facts in Answer

When the respondent or claimant in his answer alleges new facts, these shall be considered as denied by the libellant, and no replication or reply, general or special, shall be filed, unless ordered by the court on proper cause shown. But within such time after the answer is filed as shall be fixed by the district court, either by general rule or by special order, the libellant may amend his libel so as to confess and avoid, or explain or add to, the new matters set forth in the answer; and within such time as may be fixed, in like manner, the respondent or claimant shall answer such amendments.

RULE 49

Records on Appeal

The clerks of the District Courts shall make up the records to be transmitted to the Circuit Court of Appeals.

I. They shall contain the following:

A. The style of the court.

B. The names of the parties, setting forth the original parties, and those who have become parties before the appeal, if any change has taken place.

C. If bail was taken, or property was attached or arrested, the process of the arrest or attachment and the service thereof, all bail and stipulations, and, if any sale has been made, the orders, warrants and reports relating thereto.

D. The libel, with exhibits annexed thereto.

E. The pleadings of the respondent or claimant with the exhibits annexed thereto.

F. The testimony as taken on the part of the libellant, and any exhibits not annexed to the libel.

G. The testimony as taken on the part of the respondent or claimant and any exhibits not annexed to his pleadings.

H. Any orders and opinions of the court.

I. Any report of a commissioner or assessor, if excepted to, with the orders of the court respecting the same, and the exceptions to the report. If the report was not excepted to, only the fact that a reference was made, and so much of the report as shows what results were arrived at by the commissioner or assessor are to be stated.

J. The final decree.

K. The notice of or prayer for an appeal, and the assignment of errors.

II. The following shall be omitted:

A. The continuances.

B. All motions, rules and orders which are merely preparatory for trial and to which no exception was taken or error assigned.

C. The commissions to take depositions, notices therefor, their captions and certificates of their being sworn to, unless some exception to a deposition in the District Court was founded on some one or more of these; in which case so much of either of them as may be involved in the exception shall be set out. In all other cases it shall be sufficient to give the name of the witness, and to copy the interrogatories and answers, and to state the name of the commissioner, and the place where and the date when the deposition was sworn to; and in copying all depositions taken on interrogatories, the answer shall be inserted immediately following the question.

III. The Clerk of the District Court shall page the copy of the record thus made up, and shall make an index thereto, and he shall certify the entire document at the end thereof under the seal of the court, to be a transcript of the record of the District

Court in the cause named at the beginning of the copy made up pursuant to this rule.

IV. In making up the record to be transmitted to the Circuit Court of Appeals, the clerk of the District Court shall omit therefrom any of the pleadings, testimony or exhibits which the parties, by their proctors, shall, by written stipulation, agree may be omitted; and shall receive and include in the record any statement of the case which may be signed by the proctors showing how the questions arose and were decided in the District Court and setting forth so much only of the facts alleged and proved, or sought to be proved, or of the evidence thereof, as is essential to a decision of such question by the Appellate Court, and such stipulation and statement shall be filed and certified up with the record.

RULE 50

Security on Cross-Libel

Whenever a cross-libel is filed upon any counter-claim arising out of the same contract or cause of action for which the original libel was filed, and the respondent or claimant in the original suit shall have given security to respond in damages, the respondent in the cross-libel shall give security in the usual amount and form to respond in damages to the claims set forth in said cross-libel, unless the court, for cause shown, shall otherwise direct; and all proceedings on the original libel shall be stayed until such security be given unless the Court otherwise directs.

RULE 51

Limitation of Liability—How Claimed

When any ship or vessel shall be libeled, or the owner or owners thereof shall be sued, for any embezzlement, loss, or destruction by the master, officers, mariners, passengers, or any other person or persons of any property, goods, or merchandise, shipped or put on board of such ship or vessel, or for any loss, damage or injury by collision, or for any act, matter or thing, loss, damage, or forfeiture, done, occasioned or incurred, without the privity or knowledge of such owner or owners, and he or they shall desire to claim the benefit of limitation of liability provided for in the third and fourth sections of the act of March 3, 1851, entitled "An act to limit the liability of ship-owners and for other purposes" now embodied in Sections 4283 to 4285 of the Revised Statutes, as now or hereafter amended or supplemented, the said owner or owners shall and may file a libel or petition in the proper District Court of the United States, as hereinafter specified, setting forth the facts and circumstances on which said limitation of liability is claimed, and praying proper relief in that behalf; and thereupon said court, having caused due appraisement to be had of the amount or value of the interest of said owner or owners, respectively, in such ship or vessel, and her freight, for the voyage, shall make an order for payment of the same into court, or for the giving of a stipulation with sufficient sureties or an approved corporate surety for the payment thereof into court with interest at the rate of six per cent per annum from the date of said stipulation and costs, whenever the same shall be ordered; or, if the said owner or owners shall so elect, the said court shall, without such appraisement, make an order for the transfer by him or them of his or their interest in such vessel and freight to a trustee to be appointed by the court under the fourth section of said act; and, upon compliance with such order, the said court shall issue a monition against all persons claiming for any such embezzlement, loss, destruction, damage, or injury, citing them to appear before the said court and file their respective claims at or before a certain time to be named in said writ, not less than 30 days from the issuing of the same; and public notice of such monition shall be given as in other cases, and such further notice served through the post office, or otherwise, as the court, in its discretion, may direct; and the said court shall also, on the application of the said owner or owners, make an order to restrain the further prosecution of all and any suit or suits against said owner or owners in respect to any such claim or claims.

RULE 52

Proof of Claims in Limited Liability Procedure

Proof of all claims which shall be filed in pursuance of said monition shall thereafter be made before a commissioner to be designated by the court or before the court as the court may determine, subject to the right of any person interested to question or controvert the same; and on the completion of said proofs, the commissioner shall make report, or the court its finding on the claims so proven, and on confirmation of said commissioner's report, after hearing any exceptions thereto, or on such finding by the court, the moneys paid or secured to be paid into court as aforesaid, or the proceeds of said ship or vessel and freight (after payment of costs and expense) shall be divided pro rata amongst the several claimants in proportion to the amount of their respective claims, duly proved and confirmed as aforesaid, saving, however, to all parties any priority to which they may be legally entitled.

RULE 53

Defense to Claims in Limited Liability Procedure

In the proceedings aforesaid, the said owner or owners shall be at liberty to contest his or their liability, or the liability of said ship or vessel for said embezzlement, loss, destruction, damage or injury (independently of the limitation of liability claimed under said act), provided he, it or they shall have complied with the requirements of Rule 51 and shall also have given a bond for costs and provided that, in his or their libel or petition, he or they shall state the facts and circumstances by reason of which exemption from liability is claimed; and any person or persons claiming damages as aforesaid, and who shall have filed his or their claim under oath, shall and may answer such libel or petition, and contest the right of the owner or owners of said ship or vessel either to an exemption from liability, or to a limitation of liability under the said act of Congress, or both, provided such answer shall in suitable allegations state the facts and circumstances by reason of which liability is claimed or right to limitation of liability should be denied.

RULE 54

Courts Having Cognizance of Limited Liability Procedure

The said libel or petition shall be filed and the said proceedings had in any District Court of the United States in which said ship or vessel may be libeled to answer for any such embezzlement, loss, destruction, damage or injury; or, if the said ship or vessel be not libeled, then in the District Court for any district in which the said owner or owners may be used in that behalf; when the said ship or vessel has not been libeled to answer the matters aforesaid, and suit has not been commenced against the said owner or owners, or has been commenced in a district other than that in which the said ship or vessel may be, the said proceedings may be had in the District Court of the district in which the said ship or vessel may be, and where it may be subject to the control of such court for the purpose of the case as hereinbefore provided. If the ship shall have already been libeled or sold, the proceeds shall represent the same for the purposes of these rules.

RULE 55

Appeals in Limited Liability Cases

All the preceding rules and regulations for proceedings in causes where the owner or owners of a ship or vessel shall desire to claim the benefit of limitation of liability provided for in the act of Congress in that behalf shall apply to the Circuit Courts of Appeals of the United States where such cases are or shall be pending in said courts on appeal from the District Courts.

RULE 56

Right to Bring in Party Jointly Liable

In any suit, whether in rem or in personam, the claimant or respondent (as the case may be) shall be entitled to bring in any other vessel or person (individual or corporation) who may be partly or wholly liable either to the libellant or to such claimant or respondent by way of remedy over, contribution or otherwise, growing out of the same matter. This shall be done by petition, on oath, presented before or at the time of answering the libel, or at any later time during the progress of the cause that the courts may allow. Such petition shall contain suitable allegation showing such liability, and the particulars thereof, and that such other vessel, or person ought to be proceeded against in the same suit for such damage, and shall pray tha process be issued against such vessel or person to that end. Thereupon such process shall issue, and if duly served, such suit shall proceed as if such vessel or person had been originally proceeded against; the other parties in the suit shall answer the petition; the claimant of such vessel or such new party shall answer the libel; and such further proceedings shall be had and decree rendered by the court in the suit as to law and justice shall appertain. But every petitioner shall, upon filing his petition, give a stipulation, with sufficient sureties, or an approved corporate surety, to pay the libellant and to any claimant or any new party brought in by virtue of such process, all such costs, damages, and expenses as shall be awarded against the petitioner by the court on the final decree, whether rendered in the original or appellate court; and any such claimant or new party shall give the same bonds or stipulations which are required in the like cases from parties brought in under process issued on the prayer of a libellant.

RULE 57

Property In Custody of Marshal

No property in the custody of the marshal or other officer of the court shall be delivered up without an order of the court, but except in possessory actions, such order may be entered, as of course, by the clerk, on the filing of either a written consent thereto by the proctor on whose behalf it is detained, or an approved stipulation or bond given as provided by law and these rules; or upon the dismissal or discontinuance of the libel; except that in proceedings under Section 941 of the Revised Statutes the marshal shall not deliver any property so released until the costs and charges of the officers of the court shall first have been paid into the court by the party receiving such property subject to the decision of the court with respect to the amount of costs due such officers.

Rules of the Interstate Commerce Commission

RULES OF PRACTICE BEFORE THE COMMISSION IN PROCEEDINGS UNDER THE ACT TO REGULATE COMMERCE, AS AMENDED, OTHERWISE KNOWN AS THE INTERSTATE COMMERCE ACT.

RULE 1.

Public Sessions and Hearings.

Public sessions of the Commission or Divisions thereof for hearing evidence or oral arguments or for public conferences, and hearings before examiners, will be held as set upon notice by the Commission, subject to change upon such notice as may be practicable.

RULE 2.

Parties.[1]

(a) The parties to proceedings before the Commission are complainants, defendants, interveners, protestants, respondents, applicants, and petitioners, according to the nature of the proceeding and their relation thereto. Any party may appear and be heard in person or by attorney.

(b) In complaint cases the parties who complain to the Commission of anything done or omitted to be done in violation of the provisions of the act to regulate commerce, as amended, otherwise known as the interstate commerce act, and in these rules referred to as the act, by any common carrier subject to the act are those designated in section 13 thereof, and are styled complainants. The common carriers so complained of, and their receivers or operating trustees, if any, are styled defendants. Two or more complainants may join in one complaint if their respective causes of action are against the same defendant or defendants and involve substantially the same violation of the act and a like state of facts.

(c) If complaint is made in respect of through transportation by continuous carriage or shipment, all carriers subject to the act participating therein should be made defendants.

(d) If complaint is made of rates, fares, charges, regulations, or practices of more than one carrier, all carriers against which an order is sought should be made defendants.

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[1] See Appendix 1 for special rules of practice governing the procedure to be followed as to causes of action arising out of federal control.

(e) If complaint is made of a classification or any provision thereof, it will ordinarily suffice to make defendants the carriers operating one or more through routes between representative points of origin and destination.

(f) The receiver or trustee operating the line of a defendant must also be made defendant.

(g) In investigation proceedings the carriers designated therein are styled respondents.

(h) In investigation and suspension proceedings those upon whose protests the proceeding was instituted are styled protestants, and the carriers whose tariffs are under suspension are styled respondents.

(i) In applications for relief from or under any provisions of the act the carriers by whom or on whose behalf the application is made are styled applicants.

(j) Others seeking relief are styled petitioners.

(k) Petitioners permitted to intervene as hereinafter provided are styled interveners.

(l) Anyone entitled under the act to complain to the Commission may petition for leave to intervene in any pending proceeding prior to or at the time it is called for hearing, but not after except for good cause shown. The petition shall set forth the grounds of the proposed intervention; the position and interest of the petitioner in the proceeding: and, if affirmative relief is sought, should conform to the requirements for a formal complaint. Leave will not be granted except on allegations reasonably pertinent to the issues already presented and which do not unduly broaden them. If leave is granted the petitioner thereby becomes an intervener and a party to the proceeding. When the petition is filed prior to the hearing the petitioner must furnish therewith a sufficient number of copies for service upon all parties to the proceeding and three additional copies for the use of the Commission. When not filed prior to but tendered at the hearing sufficient copies must be provided for distribution as motion papers to the parties represented at the hearing. If leave be granted at the hearing sufficient copies must also be furnished for service and three additional copies for the use of the Commission. It is desirable, especially where affirmative relief is sought, that the petition be filed in season to permit of service on the defendants and to afford them an opportunity to answer before the hearing, thereby making it possible in some instances to grant leave where otherwise it would be denied in fairness to the parties to the proceeding.

RULE 3.

Complaints.

(a) Complaints may be either informal or formal.

(b) Informal complaints may be made by letter or other writing and as received are filed. Matters thus presented are, if their nature warrants it, taken up by correspondence with the carriers affected in an endeavor to bring about satisfaction of the complaint without formal hearing, and are given serial numbers on the informal docket. This informal procedure has been found efficacious in the great majority of cases and is recommended.

(c) No form of informal complaint is prescribed, but in substance the letter or other writing must contain the essential elements of a complaint, including name and address of the complainant, the names of the carrier or carriers against which complaint is made, a statement that the act has been violated by the carrier or carriers named, indicating when, where, and how, and a request for affirmative relief. It is desirable that the informal complaint be accompanied by copies in sufficient number to enable the Commission to transmit one to each carrier named, and it may be accompanied by supporting papers. Proceedings thus instituted on the informal docket are without prejudice to complainant's right to file and prosecute formal complaint, whereupon the proceedings on the informal docket will be discontinued.

(d) Section 16 of the act, as amended by section 424 of the transportation act, 1920 provides that all complaints for the recovery of damages shall be filed with the Commission within two years from the time the cause of action accrues, and not after, unless the carrier, after the expiration of such two years or within 90 days before such expiration, begins an action for recovery of charges in respect of the same service, in which case such period of two years shall be extended to and including 90 days from the time such action by the carrier is begun. In either case the cause of action in respect of a shipment of property shall, for the purposes of said section 16, be deemed to accrue upon delivery or tender of delivery thereof by the carrier, and not after. Section 206, subdivision (f), of the transportation act, 1920, provides that the period of federal control shall not be computed as a part of the periods of limitation in claims for reparation to the Commission for causes of action arising prior to federal control. The period of time within which complaints for recovery of damages shall be filed with the Commission under these statutory provisions, and those cited in Appendix 1, will be referred to in these rules as the statutory period.

(e) A complaint for the recovery of damages may be informal, but must be filed within the statutory period, and, if informal, should contain, in addition to the matters above indicated, such data[2] as will serve to identify with reasonable definiteness the shipments or other transportation services in respect of which recovery is sought, the carriers participating, the kind and amount of injury sustained, when and by whom, and, if any recovery is sought on behalf of others than complainant, a statement of the capacity or authority in or by which complaint is made in their behalf. Notification to the Commission that a complaint may or will be filed later for the recovery of damages is not a filing of complaint within the meaning of the statute.

(f) Carriers willing to pay damages for violations of the act should make application in the form prescribed by the Commission for authority to pay. Such applications will be filed on the special docket under serial number, and, if granted, orders to that effect will be entered on the special docket. Such application, when not made upon informal complaint filed with the Commission, must be filed within the statutory period and will be deemed the equivalent of an informal complaint and an answer thereto admitting the matters stated in the application. If a carrier is unable to file such application within the statutory period and the claim is not already protected from the operation of the statute by informal complaint, a statement setting forth the facts may be filed by the carrier within the statutory period. Such statement will be deemed the equivalent of an informal complaint filed on behalf of the shipper and sufficient to stay the operation of the statute.

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[2] Illustrative of pertinent data are, in case of shipments, their dates, origins, destinations, consignors, and consignees, dates of delivery or tender of delivery, car numbers and initials, if in carloads, routes of movement, if known, commodities transported, weight, charges assessed, at what rate, when and by whom paid, and by whom borne.

(g) If an informal complaint for recovery of damages can not be disposed of informally, or is denied on the informal docket, or is by complainant withdrawn from further consideration, the parties affected will be so notified in writing by the Commission. In any such case the matter will not be reconsidered unless, within six months after the date of mailing such notice to complainant, it is resubmitted on the informal docket or formal complaint is filed. If so filed the formal complaint will be deemed to relate back to the date of filing the informal complaint. If within said six months the matter is not so resubmitted or formal complaint filed, the complainant will be deemed to have abandoned the complaint and no complaint for recovery of damages based on the same cause of action will thereafter be placed on file or considered unless itself filed within the statutory period. (Conference Ruling 508 rescinded.)

(h) Formal complaints must conform to the requirements of rule XXI. The names of all parties complainant and defendant must be stated in full without abbreviation, and the address of each complainant, with the name and address of his attorney, if any, must appear. Each formal complaint must be accompanied by copies in sufficient number to enable the Commission to serve one upon each defendant and retain three for its own use. The Commission will serve the complaint upon each defendant by leaving a copy with its designated agent in Washington, D. C., or if no such agent has been designated, by posting a copy in the office of the Secretary of the Commission.

(i) Complaints should be so drawn as fully and completely to advise the parties defendant and the Commission wherein the provisions of the act have been, are, or/and will be violated, by a continuance of the acts or omissions complained of, and should set forth briefly and in plain language the facts claimed to constitute such violation and the relief sought. Two or more grounds of complaint involving the same principle, subject, or state of facts may be included in one complaint, but should be separately stated and numbered. The several rates, fares, charges, classifications, regulations, or practices complained of should be set out by specific reference to the tariffs in which they appear whenever that is practicable.

(j) In case violation of two or more sections of the act is alleged, the facts claimed to constitute violation of one section should be stated separately from those in respect of any other section or sections, wherever that can be done by reference or otherwise without undue repetition.

(k) In case violation of section 1 of the act is alleged, the complaint should show whether the rates, fares, or charges assailed have been increased since January 1, 1910.

(l) In case unjust discrimination in violation of section 2 is alleged, the special rate, rebate, drawback, or other device and the manner in which thereby the greater or less compensation complained of has been charged, collected, or received should be specified.

(m) In case undue or unreasonable preference or advantage, or undue or unreasonable prejudice or disadvantage, in violation of section 3, is alleged, the particular person, company, firm, corporation, locality, or description of traffic affected thereby, and the particular preference or advantage, or prejudice or disadvantage, relied upon as constituting such violation, should be clearly specified.

(n) If the complaint brings in issue any rate, fare, charge, classification, regulation, or practice, made or imposed by authority of any state, or initiated by the President during the period of federal control, as causing any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce on the one hand and interstate or foreign commerce on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce, which is forbidden and declared unlawful under section 13 of the act as amended by section 416 of the transportation act, 1920, the complaint should also contain appropriate allegations to present for decision the issue of the justness and reasonableness under section 1 of the rates, fares, charges, classifications, regulations, or practices complained of in so far as applicable to interstate or foreign commerce, and the issue as to what should be the rate, fare, or charge, or the maximum or minimum, or maximum and minimum, thereafter to be charged, and the classification, regulation, or practice thereafter to be observed in order to remove such advantage, preference, prejudice, or discrimination. The facts should be stated with sufficient definiteness to disclose fully the contention made in respect of any tariff provision made or imposed by authority of any state, or initiated by the President during the period of federal control. The Commission, before proceeding to hear and dispose of such issue, must cause the state or states interested to be notified of the proceeding and must be furnished with copies of the complaint in sufficient number for that purpose.

(o) In case violation of section 4 of the act is alleged, the facts as to compensation charged or received, the respects in which the section was thereby violated, and the tariff provisions applicable, should be stated with particularity.

(p) In case recovery of damages is sought the complaint should contain appropriate allegations showing, in addition to the matters indicated above, such data as will serve to identify with reasonable definiteness the shipments or other transportation services in respect of which recovery is sought and stating (1) that complainant makes claim for reparation, (2) the name of each individual claimant asking reparation, (3) the names of defendants against which claim is made, (4) the commodities transported, the rate applied, the date when the transportation charges were paid, by whom paid, and by whom borne, (5) the period of time within which or the specific dates upon which the shipments were made, and the dates when they were delivered or tendered for delivery, (6) the points of origin and destination, either specifically, or, where they are numerous, by definite indication of a defined territorial or rate group of the points of origin and destination, and, if known, the routes of movement, (7) the nature and amount of the injury sustained by each claimant, and (8 if any reparation is sought on behalf of others than the complainant, in what capacity or by what authority complaint is made in their behalf.

(q) The Commission will consider as in substantial compliance with the statute of limitations a complaint in which the complainant alleges that the matters complained of, if continued in the future, will constitute violations of the act in the particulars and to the extent indicated, and prays reparation accordingly on all shipments affected thereby which may move during the pendency of the proceeding and on which the transportation charges shall be paid and borne by the complainant.

(r) If a general rate adjustment is challenged in the complaint, or many shipments or points of origin and destination are involved, it is the practice of the Commission to find and determine in its report the issues as to violation of the act, injury thereby to complainant, and right to reparation, and thereafter to afford the parties opportunity to agree or make proof respecting the shipments and amount of reparation due under its finding before entering its order awarding reparation. See Rule V. In such cases freight bills and other exhibits bearing on the details of shipments, and the amount of reparation on each, need not be produced at the hearing unless called for or needed to develop other pertinent facts.

(s) Except under unusual circumstances, and for good cause shown, reparation will not be awarded upon a complaint in which it is not specifically prayed for, or upon a new complaint by or for the same complainant which is based upon any finding in the original proceeding.

(t) Supplemental complaints may be tendered for filing by the parties complainant against the parties defendant in the original complaint, setting forth any causes of action under the act alleged to have accrued in favor of the complainants and against the defendants since the filing of the original complaint, and, upon leave granted, will be filed and served by the Commission as provided for original complaints, and heard, considered, and disposed of therewith in the same proceeding, if practicable.

(u) If recovery of damages is sought by supplemental complaint it must be filed with the Commission within the statutory period.

(v) Cross complaints. See Rule IV.

RULE 4.

Answers.

(a) Answers must conform to the requirements of rule XXI.

(b) Answers to formal complaints must be filed with the Commission within 20 days after the day on which the complaint was served. For defendants having general offices at or west of El Paso, Tex., Salt Lake City, Utah, or Spokane, Wash., said period of 20 days is extended to 30 days. The periods so fixed may be shortened or extended by the Commission when it deems advisable. The answer must in the same period be served as provided in rule VI. Any defendant failing to file and serve answer within said period will be deemed in default, and issue as to such defendant will be thereby joined.

(c) Answers to petitions in intervention or amended complaints filed and served upon leave granted need not be separately made unless the defendants so elect, and their answers to the formal complaint will be deemed answers to the petition in intervention. Answers if separately made should be filed and served as promptly as possible and within the same period after service of petition in intervention as is above provided for answers after service of complaints. Answers to cross complaints filed and served upon leave granted must be filed and served within the same period after service of the cross complaint.

(d) All answers should be so drawn as fully and completely to advise the parties and the Commission of the nature of the defense, and should admit or deny specifically and in detail each material allegation of the pleading answered.

(e) An answer denying that an alleged discrimination is unjust under section 2 of the act, or that an alleged preference or prejudice is undue or unreasonable under section 3 of the act, should state fully the grounds relied upon in making such denial.

(f) Whenever it is apparent from the pleading answered, either by direct allegation or otherwise, that a departure from the requirements of the fourth section of the act is involved, the answer should set forth by number the particular application or order, if any, which protects such departure.

(g) It is desired that every effort be made to narrow the issues upon hearing. Matters alleged as affirmative defenses should be separately stated and numbered. Counterclaims and set-offs against shippers are not within the jurisdiction of the Commission.

(h) Cross complaints alleging violations of the act by other carriers, parties to the proceeding, or seeking relief against them under the act, may be tendered for filing by defendants with their answers, and, upon leave granted, will be filed and served by the Commission in the manner provided in rule III for complaints. In such cases the cross complaints will be heard, considered, and disposed of in connection with the issues tendered by the complainant in the same proceeding.

(i) If a defendant satisfies a formal complaint, either before or after answering, a statement to that effect signed by the opposing parties must be filed, setting forth when and how the complaint has been satisfied.

RULE 5.

Reparation Statements—Formal Claims for Reparation Based Upon Findings of The Commission.

(a) When the Commission finds that reparation is due, but that the amount can not be ascertained upon the record before it, the complainant should immediately prepare a statement, showing details of the shipments on which reparation is claimed, in accordance with form 5. (See p. 34.) The statement should not include any shipment not covered by the Commission's findings, or any shipment on which complaint was not filed with the Commission within the statutory period. See rule III. The statement, together with the paid freight bills on the shipments, or true copies thereof, should then be forwarded to the carrier which collected the charges for checking and certification as to its accuracy. The certificate must be signed in ink by a general accounting officer of the carrier and should cover all of the information shown in the statement. If the carrier which collected the charges is not a defendant in the case its certificate must be concurred in by like signature on behalf of a carrier defendant.

(b) If the shipments moved over more than one route a separate statement should be prepared for each route, and separately numbered, except that shipments as to which the collecting carrier is in each instance the same may be listed in a single statement if grouped according to routes.

(c) Statements so prepared and certified shall be filed with the Commission, whereupon it will consider entry of an order for reparation. The filing of statements will not stop the running of the statute of limitations as to shipments not covered by complaint or supplemental complaint. See rule III.

(d) All discrepancies, duplications, or other errors in the statements should be adjusted by the parties and correct agreed statements submitted to the Commission.

RULE 6.

Service.

(a) Formal complaints and, upon leave granted, petitions in intervention, supplemental complaints, cross complaints, and amended complaints, will be served by the Commission, and copies of each must be furnished in sufficient number, as provided in rule III in respect of complaints.

(b) Answers, petitions, motions, applications, notices, and all other papers, except depositions, in proceedings pending before the Commission upon its formal docket, must, when filed or tendered for filing by the Commission, show service thereof upon all parties to the proceeding. Such service shall be made by delivering in person or by mailing, properly addressed with postage prepaid, one copy to each party.

(c) When any party has appeared by attorney service upon such attorney will be deemed service upon the party.

RULE 7.

Amendments.

Amendments to any pleading will be allowed or refused by the Commission at its discretion.

RULE 8.

Continuances and Extensions of Time.

Continuances and extensions of time will be granted or denied by the Commission at its discretion.

RULE 9.

Stipulations.

The parties may, by stipulation in writing filed with the Commission, or presented at the hearing, agree upon any facts involved in the proceeding. It is desired that the facts be thus agreed upon in so far as and whenever practicable.

RULE 10.

Hearings.

(a) When issue is joined upon formal complaint by service of answer, or by failure of defendant to answer, the Commission will assign a time and place for hearing. Witnesses will be examined orally before the Commission, a Commissioner, or one of its examiners, unless their testimony is taken by deposition or the facts are agreed upon as provided for in these rules.

(b) At hearings on formal complaint the complainant shall open and close. At hearings upon applications for relief from any provision of the act the applicant shall open and close. At hearings of investigation and suspension proceedings the respondent shall open and close. At hearings of all other investigations on the motion of the Commission, the Commission shall open and close. The order of presentation above described for the several kinds of hearings, respectively, shall be followed except as the Commission may prescribe a different order or the presiding Commissioner or examiner may otherwise direct. In hearings of several proceedings upon a consolidated record the presiding Commissioner or examiner shall designate who shall open and close. Interveners shall follow the party in whose behalf the intervention is made, and in all cases where the intervention is not in support of either original party the presiding Commissioner or examiner shall designate at what stage such interveners shall be heard.

RULE 11.

Depositions.

(a) The testimony of any witness may be taken by deposition, at the instance of a party, in any proceeding pending before the Commission, at any time after issue joined or, if the Commission so orders, at any stage of the proceeding, pursuant to section 12 of the interstate commerce act, and in accordance with these rules of practice prescribed under section 17 of that act, but not otherwise.

(b) Such depositions may be taken before an agent or examiner of the Commission, or any judge or commissioner of any court of the United States, or any clerk of a district court, or any chancellor, justice, or judge of a supreme or superior court, mayor or chief magistrate of a city, judge of a county court or court of common pleas of any of the United States, or any notary public, not being of counsel or attorney to either of the parties nor interested in the event of the proceeding or investigation, according to such designation as the Commission may make in any order made by it in the premises, except that where such deposition is taken in a foreign country it may be taken before an officer or person designated by the Commission, or agreed upon by the parties by stipulation in writing to be filed with the Commission. The magistrate, person or officer so designated will in this rule be referred to as the officer.

(c) Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party, or his attorney of record, as either may be nearest, and to the Commission. No deposition shall be taken except after six days' notice to the parties, and where the deposition is taken in a foreign country such notice shall be at least 15 days. In such notice shall be stated the name and postoffice address of the witness, the subject matter or matters concerning which the witness is expected to testify, the time and place of taking the deposition, and the name and postoffice address of the officer before whom it is desired that the deposition be taken. Thereupon the Commission will make and serve upon the parties or their attorneys an order wherein the Commission will name the witness whose deposition is to be taken, and specify the time when, the place where, and the officer before whom the witness is to testify, but such time and place, and the officer before whom the deposition is to be taken, so specified in the Commission's order, may or may not be the same as those named in said notice to the Commission.

(d) Every person whose deposition is so taken shall be cautioned and sworn (or affirmed, if he so request) to testify the whole truth and nothing but the truth concerning the matter about which he shall testify, and shall be carefully examined. His testimony shall be reduced to typewriting by the officer before whom the deposition is taken, or under his direction, after which the deposition shall be subscribed by the witness and certified in usual form by the officer. After the deposition has been so subscribed and certified it shall, together with two copies thereof made by such officer or under his direction, be forwarded by such officer under seal in an envelope addressed to the Commission at its office in Washington, D. C. Upon receipt of the deposition and copies the Commission will file the deposition in the record in said proceeding and forward one copy to the party at whose instance the deposition has been taken, or his attorney, and the other copy to the opposite party or his attorney, except that where the deposition is taken at the instance of more than one party, or there is more than one opposite party, the copies will be forwarded by the Commission to the parties or their attorneys designated for that purpose in advance.

(e) Such depositions must conform to the specifications of rule XXI.

(f) No such deposition shall be taken unless under special circumstances and for good cause shown, within 10 days prior to the date of the hearing thereof assigned by the Commission, and where the deposition is taken in a foreign country it shall not be taken after 30 days prior to such date of hearing.

(g) Witnesses whose depositions are taken pursuant to these rules and the officer taking the same, unless he be an agent or examiner of the Commission, shall severally be entitled to the same fees as are paid for like service in the courts of the United States, which fees shall be paid by the party at whose instance the depositions are taken.

RULE 12.

Witnesses and Subpoenas

(a) Subpoenas requiring the attendance of witnesses from any place in the United States at any designated place of hearing may be issued by any member of the Commission.

(b) Subpoenas for the production of books, papers, or documents, unless directed by the Commission upon its own motion, will issue only upon application in writing. Applications to compel wtnesses who are not parties to the proceedings, or agents of such parties, to produce documentary evidence must be verified and must specify, as nearly as may be, the books, papers, or documents desired and the facts to be proven by them. Applications to compel a party to the proceedings to produce books, papers, or documents should set forth the books, papers, or documents sought, with a showing that they will be of service in the determination of the proceeding.

(c) Witnesses who are summoned are entitled to the same fees as are paid for like service in the courts of the United States, such fees to be paid by the party at whose instance the testimony is taken.

RULE 13.

Documentary Evidence.

(a) Where relevant and material matter offered in evidence by any party is embraced in a book, paper, or document containing other matter, not material or relevant, the party must plainly designate the matter so offered. If the other matter is in such volume as would unnecessarily cumber the record, such book, paper, or document will not be received in evidence but may be marked for identification and, if properly authenticated, the relevant and material matter may be read into the record, or, if the presiding Commissioner or examiner so directs, a true copy of such matter, in proper form, shall be received as an exhibit, and like copies delivered by the party offering the same to opposing parties or their attorneys appearing at the hearing, who shall be afforded opportunity to examine the book, paper, or document, and to offer in evidence in like manner other portions thereof if found to be material and relevant.

(b) In case any portion of a tariff, report, circular, or other document on file with the Commission is offered in evidence, the party offering the same must give specific reference to the items or pages and lines thereof to be considered. The Commission will take notice of items in tariffs and annual or other periodical reports of carriers properly on file with it or in annual, statistical, and other official reports of the Commission. When it is desired to direct the Commission's attention to such tariffs or reports upon hearing or in briefs or arguments it must be done with the precision specified in the second preceding sentence. In case any testimony in proceedings other than the one on hearing is offered in evidence, a copy of such testimony must be presented as an exhibit. When exhibits of a documentary character are to be offered in evidence, copies must be furnished to opposing counsel.

(c) All exhibits showing rates or distances must, by proper I. C. C. number reference, indicate the tariff authority for the rates, and must also show by lines and junction points the routes via which the distances are computed, as well as the authority for the distances used.

(d) All exhbiits received in evidence are bound with the rest of the record in covers of uniform size. It thus becomes desirable that, wherever practicable, they should be on one side only of sheets not exceeding 12½ inches from top to bottom by 22 inches in width, and imperative that a sufficient margin for binding, preferably 1½ inches, be left blank on the left side of each sheet. They must be on paper of good quality and so prepared as to be plainly legible and durable, whether printed, typewritten, mimeographed, planographed, photographed, or otherwise. The use of hectograph and white-line blue prints is discouraged.

(e) Wherever practicable the sheets of each exhibit and the lines of each sheet should be numbered, and, if the exhibit consists of five or more sheets, the first sheet or title page should be confined to a brief statement of what the exhibit purports to show, with reference by sheet and line to illustrative or typical examples contained in the exhibit. It is desirable that, wherever practicable, rate comparisons and other evidence should be condensed into tables.

(f) Where agreed upon by parties at or after the hearing, the presiding Commissioner or examiner, if he deems advisable, may receive specified documentary evidence as a part of the record within a time to be fixed by him, but which shall expire not less than 10 days before the date fixed for filing and serving briefs.

(g) Except as above provided, or as may be expressly permitted in particular instances, the Commission will not receive in evidence or consider as part of the record any documents, letters, or other writings submitted for consideration in connection with the proceeding after the close of the testimony, and will return the same to the sender.

RULE 14.

Briefs and Oral Argument.

(a) Briefs must be printed and comply with the requirements of rule XXI. The date of each brief must appear on its front cover or title page. Each brief should contain an abstract of the evidence relied upon by the party filing it, preferably assembled by subjects, with reference to the pages of the record or exhibit where the evidence appears. It should include requests for such specific findings as the party thinks the Commission should make.

(b) Exhibits should not be reproduced in the brief, but may, if desired, be reproduced in an appendix to the brief. Analyses of such exhibits should be included in the abstract of evidence under the subjects to which they pertain. The abstract of evidence should follow the statement of the case and precede the argument. Every brief of more than 20 pages shall contain on its front flyleaves a subject index with page references, the subject index to be supplemented by a list of all cases cited, alphabetically arranged, with references to the pages where the citations appear. In proceedings upon complaint alleging undue prejudice to or preference of any locality as contrasted with another locality or otherwise attacking a rate relationship, the complainant should insert in his brief opposite the statement of the case a small map or chart of the territory showing the situation involved.

(c) Briefs not filed with the Commission and served on or before the dates fixed therefore will not be received except by special permission of the Commission. All briefs must be accompanied by notice, showing service upon all other parties or their attorneys who appeared at the hearing or on brief, and 20 copies of each brief shall be furnished for the use of the Commission. Applications for extension of time in which to file briefs shall be by petition, in writing, stating the facts on which the application rests, which must be filed with the Commission at least seven days before the time fixed for filing such briefs, in cases where the parties and their attorneys are located east of El Paso, Tex., Salt Lake City, Utah, or Spokane, Wash., and at least eight days before such time in cases where any of the parties or any of their attorneys are located at or west of the points named.

(d) For application in cases designated in the notices setting them for hearing as "proposed report" cases, the following procedure will govern, superseding that prescribed elsewhere in these rules in so far as conflicting therewith:

1. If oral argument before the presiding Commissioner or examiner is desired he should be so notified at or before the hearing and may arrange to hear the argument at the close of the testimony within such limits of time as he may determine, having regard to other assignments for hearing before him. Such argument will be transcribed and bound with the transcript of testimony, and will be available to the Commission for consideration in deciding the case. The making of such argument shall not preclude oral argument before the Commission, or a Division thereof, and application therefor may be made as hereinafter provided.

2. Only one initial brief shall be filed by each party. The presiding Commissioner or examiner shall fix for all parties the same time within which to file their briefs. Reply briefs are not permitted at this stage.

3. After expiration of the time set for briefs the examiner will prepare his proposed report containing the statement of the issues and facts and the findings and conclusions which he thinks should be made. This proposed report will be served by mailing copies to the parties or attorneys who appeared at the hearing or upon brief, except that in general investigations copies may also be mailed in the Commission's discretion to other parties whose appearances are noted of record.

4. Within 20 days after service of the proposed report any party may file and serve, in the manner prescribed for briefs, exceptions to the examiner's proposed report and brief in support of the exceptions. Exceptions and brief should be contained in one print. Within 10 days after expiration of the time so fixed, briefs in reply to the exception briefs may be filed and served, but will not be received later except under leave granted upon application therefor. Applications for oral argument before the Commission or a Division thereof if made by a party filing exceptions must accompany the exceptions, or if made by a party not filing exceptions must be filed not later than 10 days after the time fixed for filing and service of exceptions. Parties or attorneys at El Paso, Tex., Salt Lake City, Utah, Spokane, Wash., or points west thereof, who appeared at the hearing or upon brief, will be allowed five days' additional time for filing and serving exceptions, exception briefs, and reply briefs, respectively.

5. Exceptions to the examiner's proposed report either as to statements of fact or matters of law should be specific. If exception is taken to matters of law or conclusions the points relied upon should be stated separately and clearly. If exception is taken to any statement of fact reference should be made to the pages or parts of the record relied upon and a corrected statement incorporated in the exception brief.

6. In the absence of exceptions that are sustained or of ascertained error the statement of the issues and of the facts by the examiner will ordinarily be taken by the Commission as the basis of its report.

(e) Except as hereinabove provided in subdivision (d) of this rule, briefs for the various parties shall be filed in the same order as governs in the taking of their testimony at hearings. At the close of the testimony in each case the presiding Commissioner or examiner will fix the time for filing and service of the respective briefs as follows, unless good cause for variation therefrom is shown: For the opening brief, 30 days from close of testimony; for the brief of the opposing party, 15 days after the date fixed for the opening brief; for reply brief, 10 days after the date fixed for the brief of the opposing party. Briefs of interveners shall be filed and served within the time fixed for the brief of the party in whose behalf the intervention is made, or within such other time as may be fixed by the presiding Commissioner or examiner. Parties who fail to file opening brief, as required by this rule, will not be permitted to file reply to brief of opposing party. Except as provided in subdivision (d) of this rule, applications for oral argument before the Commission or Division thereof shall be made at the hearing or in writing within 10 days after the close of testimony.

RULE 15.

Applications for Rehearings, Rearguments, or Modification of Orders.

(a) Applications for further hearing in a proceeding before final submission, for reopening a proceeding after final submission, or for rehearing or reargument after decision, must be made by petition, stating specifically the grounds relied upon, filed with the Commission and served by the petitioner upon all parties or attorneys who appeared at the hearing, or oral argument if had, or on brief.

(b) If the application be for further hearing before final submission, or for reopening the proceeding to take further evidence, the nature and purpose of the evidence to be adduced must be briefly stated and it must appear not to be merely cumulative.

(c) If the application be for rehearing or reargument, the matters claimed to have been erroneously decided must be specified and the alleged errors briefly stated. If thereby any order of the Commission is sought to be vacated, reversed, or modified by reason of matters which have arisen since the hearing, or of consequences which would result from compliance therewith, the matters relied upon by the petitioner must be fully set forth in the petition.

(d) Applications for modification of orders which seek only change in the date when they shall take effect or in the period of notice thereby prescribed must be made by petition seasonably filed and served in like manner as other applications under this rule, except that, in case of unforeseen emergency satisfactorily shown by the applicant, such relief may be sought informally, by telegram or otherwise, upon notice thereof to all parties or attorneys who appeared as aforesaid.

(e) A petition for rehearing that part of any case relating to reparation must be filed within 60 days after service of the report therein.

(f) Each petition filed under this rule shall be accompanied by 15 copies thereof for the use of the Commission, and by notice showing service upon the parties or attorneys who appeared as aforesaid. Within 10 days after such service any adverse party may file and serve in like manner a reply to the petition, the reply so filed to be accompanied by like number of copies for use by the Commission.

RULE 16.

Transcript of Testimony.

(a) One copy of the transcript of testimony will be furnished by the Commission without charge for the use of the complainant and one copy for the use of the defendant. If two or more complainants or defendants have appeared at the hearing, such complainants or defendants must designate to whom the copy for their use shall be delivered. A similar course will be pursued in proceedings involving the suspension of tariffs.

(b) In proceedings instituted by the Commission on its own motion, other than proceedings involving the suspension of tariffs, no copies of the transcript will be furnished by the Commission.

RULE 17.

Compliance With Orders.

When an order has been issued the defendants or respondents named therein must promptly notify the Commission on or before the date upon which such order becomes effective whether or not compliance has been made therewith. If a change in rates is required the notification must be given in addition to the filing of proper tariffs, and must specify the I. C. C. numbers of the tariffs so filed.

RULE 18.

Applications Under Fourth Section.

Any common carrier subject to the act may apply to the Commission, under the proviso clause of the fourth section, for such authorization as it is empowered to grant thereunder. Such application must conform to rule XXI. The application should specify the places and traffic involved, the rates, fares, or charges on such traffic for the shorter and longer distances, the carriers other than the applicant which may be interested in the traffic, the special nature of the case, the character of the hardship claimed to exist, and the extent of the relief sought by the applicant. Upon the filing of such application the Commission will take such action as the circumstances of the case require.

RULE 19.

Suspensions.

Suspensions of tariff schedules under section 15 of the act will not ordinarily be considered unless protest and application therefor is made in writing or by telegram at least 10 days before the effective date named in the schedule. Applications for suspensions must indicate the schedule affected by its I. C. C. number and give specific reference to the items against which protest is made, together with a statement of the grounds thereof. If such application is made by telegram it must be confirmed and followed by application in writing and should succinctly state the substance of the matters to be set forth in the written application. Seven copies of each written application should be furnished to the Commission.

RULE 20.

Information to Parties.

The Secretary of the Commission will, upon request, advise as to the form of complaint, answer, or other paper to be filed in any proceeding.

RULE 21.

Specifications As to Complaints, Answers, Petitions, Applications, Briefs, Etc.

(a) All formal complaints, answers, motions, petitions, applications, notices. depositions, or other papers to be filed, must be typewritten or printed.

(b) If typewritten they must be on paper not more than 8½ inches wide or 12 inches long, weighing not less than 16 pounds to the ream, folio base 17 by 22 inches, with left-hand margin not less than 1½ inches wide. The impression must be on only one side of the paper.

(c) If printed they, as well as briefs, must be in 10 or 12 point type, on good unglazed paper, 5 7/8 inches wide by 9 inches long, with inside margin not less than 1 inch wide, and with double-leaded text and single-leaded citations.

(d) Complaints, answers, motions, petitions, applications, and notices must be signed in ink by the party, petitioner, or applicant, or by his or its duly authorized attorney, and must show the office and post-office address of the signer.

RULE 22.

Office and Address of the Commission.

(a) Pleadings and other papers required to be filed with the Commission may be transmitted by mail or express, or otherwise delivered, but must be received for filing at its office in Washington, D. C., within the time limit, if any, for such filing. That office is open from 9 a. m. to 4:30 p. m. of each business day.

(b) All communications to the Commission must be addressed to Washington, D. C., unless otherwise specifically directed.

APPENDIX 1.

Special Rules of Practice Governing the Procedure to be Followed as to Causes of Action Arising Out of Federal Control

(1) Except as hereinafter provided, proceedings upon causes of action arising out of federal control will be governed by the Commission's rules of practice in so far as applicable.

(2) Subdivisions (a), (c), (d), (e), and (f) of section 206 of the transportation act, 1920, as amended on February 24, 1922, are as follows:

(a) Actions at law, suits in equity and proceedings in admiralty, based on causes of action arising out of the possession, use, or operation by the President of the railroad or system of transportation of any carrier (under the provisions of the Federal Control Act, or of the act of August 29, 1916) of such character as prior to Federal control could have been brought against such carrier, may, after the termination of Federal control, be brought against an agent designated by the President for such purpose, which agent shall be designated by the President within thirty days after the passage of this act. Such actions, suits, or proceedings may, within the periods of limitation now prescribed by the State or Federal statutes but not later than two years from the date of the passage of this act, be brought in any court which but for Federal control would have had jurisdiction of the cause of action had it arisen against such carrier; except that actions to enforce awards made by the Commission under the provisions of subdivision (c) against the agent so designated by the President may be brought within one year after the date of the Commission's award.

* * * * *

(c) Complaints praying for reparation on account of damage claimed to have been caused by reason of the collection or enforcement by or through the President during the period of Federal control of rates, fares, charges, classifications, regulations, or practices (including those applicable to interstate, foreign, or intrastate traffic) which were unjust, unreasonable, unjustly discriminatory, or unduly or unreasonably prejudicial, or otherwise in violation of the Interstate Commerce Act, may be filed with the Commission, within one year, or, if so claimed in respect of overcharges above the legal tariff charge, within two years and six months, after the termination of Federal control, against the agent designated by the President under subdivision (a), naming in the petition the railroad or system of transportation against which such complaint would have been brought if such railroad or system had not been under Federal control at the time the matter complained of took place. The Commission is hereby given jurisdiction to hear and decide such complaints in the manner provided in the Interstate Commerce Act, and all notices and orders in such proceedings shall be served upon the agent designated by the President under subdivision (a).

(d) Actions, suits, proceedings, and reparation claims, of the character above described pending at the termination of Federal control shall not abate by reason of such termination, but may be prosecuted to final judgment, substituting the agent designated by the President under subdivision (a).

(e) Final judgments, decrees, and awards in actions, suits, proceedings, or reparation claims, of the character above described, rendered against the agent designated by the President under subdivision (a), shall be promptly paid out of the revolving fund created by section 210.

(f) The period of Federal control shall not be computed as a part of the periods of limitation in actions against carriers or in claims for reparation to the Commission for causes of action arising prior to Federal control.

(3) On March 11, 1920, the President, under the provisions of section 206 of the transportation act, 1920, designated Walker D. Hines, Director General of Railroads, and his successor in office, as the agent provided for in that section. The Commission, by general order dated March 18, 1920, substituted Walker D. Hines, Director General of Railroads, as Agent, for Walker D. Hines, Director General of Railroads, in all proceedings before the Commission upon complaints praying for reparation for any cause set forth in subdivision (c) of said section 206, which were pending at the termination of federal control, or which have been or may be filed with the Commission within one year after the termination of federal control, as provided in said section 206, wherein said Walker D. Hines, Director General of Railroads, was or is named as a defendant.

On May 18, 1920, the President upon acceptance of the resignation of Walker D. Hines as Director General of Railroads, and as Agent, effective May 18, 1920, by proclamations appointed John Barton Payne Director General of Railroads, and also appointed him and his successor in office as such Agent. The Commission by general order dated May 26, 1920, substituted said John Barton Payne, Director General of Railroads, and his successor in office, as Agent in all such proceedings before the Commission under said section 206, whether then pending or thereafter brought within one year after the termination of federal control. On or about March 3, 1921, John Barton Payne resigned as Director General of Railroads, and as Agent, and his resignation was accepted by the President to become effective upon the appointment and qualification of his successor. On March 28, 1921, James C. Davis was appointed by the President and duly qualified as said successor. The Commission by general order dated April 4, 1921, substituted said James C. Davis for said John Barton Payne as Agent and defendant in each proceeding covered by said order of May 26, 1920.

(4) If in any complaint so pending the complainant alleges that the rates, fares, charges, classifications, regulations, or practices complained of are and/or will be in violation of any provision of the interstate commerce act and seeks relief therefrom for the future, and the carriers over whose lines the rates, fares, charges, classifications, regulations, or practices complained of apply are not already defendants, the complainant should promptly file with the Commission a supplemental complaint containing appropriate allegations and naming said carriers as additional defendants, together with copies of the supplemental complaint in sufficient number for service upon all parties to the proceeding, including the new defendants named, and also three additional copies for the use of the Commission. Service thereof will be made by the Commission. If within 20 days after such service the new defendants do not notify the Commission of their desire for resetting of a hearing already set, or for further hearing if hearing has already been had, it will be understood that no resetting or further hearing is desired.

(5) Where the complaint seeks only reparation for a cause of action arising prior to federal control the participating carrier or carriers must be made parties defendant, but neither the Director General nor the Agent designated by the President is a necessary party.

(6) Where the complaint seeks only reparation for any cause set forth in subdivision (c) the Agent designated by the President is the only necessary party defendant, but the carriers whose railroads or systems of transportation were under federal control and over which the rates, etc., applied should be specified in an appropriate place in the body of the complaint. (See form 6, Rules of Practice).

(7) Where the complaint seeks only the establishment of rates for the future the individual carriers must be named as defendants. Neither the Director General nor the Agent designated by the President should be so named.

(8) Where the complaint seeks reparation for any cause set forth in subdivision (c) and also the establishment of rates for the future, both the Agent designated by the President and the carriers should be named as defendants.

United States Board of Tax Appeals

Rules of Practice, Revised to November 1, 1929.

RULE 1

Business Hours

The office of the Board at Washington, D. C., will be open each business day from 9 o'clock a. m. to 4:30 o'clock p. m.

RULE 2

Admission to Practice

A register will be maintained by the Board in which will be entered the names of all persons entitled to practice before the Board. Corporations and firms will not be admitted or recognized.

The following classes of persons whom the Board finds, upon consideration of their applications, to be of good moral character and to possess the requisite qualifications to represent others may be admitted to practice before the Board;

(a) Attorneys at law who are admitted to practice before the Supreme Court of the United States or the highest court of any State or Territory or the District of Columbia.

(b) Certified public accountants duly qualified under the law of any State or Territory or the District of Columbia.

An application under oath for admission to practice shall be addressed to the United States Board of Tax Appeals, Washington, D. C., and must state the name, residence address, and business address of the applicant, and the time and place of his admission to the bar, or qualification as a certified public accountant. Such application shall also state whether the applicant has ever been suspended or disbarred as an attorney in any court, or his right to practice as a certified public accountant suspended or revoked in any jurisdiction. Such application shall be accompanied by a certificate of the clerk of the court in which the applicant is admitted to practice to the effect that he has been so admitted and is in good standing; or a certificate by the proper State, Territorial, or District authority to the effect that the applicant is a certified public accountant in good standing, duly qualified and entitled to practice in such State or Territory or the District of Columbia.

(See Form No. 1.)

The Board may, in its discretion, deny admission, suspend, or disbar any person who, it finds, does not possess the requisite qualifications to represent others, or is lacking in character, integrity, or proper professional conduct. An attorney or certified public accountant who has been admitted to practice may be disbarred only after he is afforded an opportunity to be heard.

The Board shall have the right at any time to require a statement, under oath, of the terms and circumstances of any contract of employment of an attorney or certified public accountant with the taxpayer he represents.

Any individual taxpayer or member of a taxpayer partnership may appear for himself or such partnership upon adequate identification to the Board. A taxpayer corporation may be represented by a bona fide officer of the corporation upon permission granted, in its discretion, by the Board or the Division sitting.

RULE 4

Form and Style of Papers

All papers filed with the Board shall be either printed or typewritten, and if typewritten shall be on one side of plain white paper only, which shall be not more than 8½ inches wide and 11 inches long, weighing not less than 16 pounds to the ream, folio base 17 by 22 inches, and fastened on the left side. Copies shall be legible, but may be on any weight paper. If printed, they shall be in 10 or 12 point type, on good unglazed paper, 5⅞ inches wide by 9 inches long, with inside margin not less than 1 inch wide, and with double-leaded text and single-leaded quotations. Citations shall be in italics.

RULE 5

Initiation of a Proceeding—Petition

A proceeding shall be initiated by filing with the Board a petition, as provided in Rules 6, 7, and 8. It shall contain:

(a) A caption in the following form:

United States Board of Tax Appeals.

....,
Petitioner,
vs.
Commissioner of Internal Revenue,
Respondent,
} Docket No.........

Petition

(b) Proper allegations showing jurisdiction in the Board.

(c) A statement of the amount of the deficiency, the nature of thee tax, the year for which asserted, and the amount thereof (as nearly as may be determined) in controversy.

(d) Clear and concise assignments of error alleged to have been committed by the Commissioner. Such assignments of error shall be numbered.

(e) A clear and concise statement of the facts upon which the petitioner relies as sustaining the assignments of error.

(f) A prayer, setting forth the relief sought by the petitioner.

(g) A verification by the petitioner.

(h) A copy of the notice of deficiency shall appended to the petition.

The petition shall be complete in itself so as fully to inform the Board of the issues to be presented. The petition shall be signed by the petitioner or his counsel and shall be verified by the petitioner. The signature of counsel shall be in individual and not in firm name. The name and mailing address of the petitioner or of counsel shall be typed or printed immediately following the signature.

The signature of counsel and the verification of the petitioner to the petition shall be considered the certificate of each that there is good ground for the petition, that the proceeding has not been instituted merely for delay and is not frivolous.

(See Form No. 2.)

RULE 6

Designation of Parties

The proceeding shall be brought in the name of the party in interest. If an individual, the full given name and surname shall be set forth in the caption. If a married woman, her given name shall be used. If a fiduciary, both the names of the fiduciary and of the estate, trust, or other person for whom he acts shall be used. In the event of a variance between the name set forth in the deficiency notice and the correct name, as used in the caption of the petition, a statement of the reasons for such variance shall be set forth in the petition.

The original caption shall be placed on all papers filed.

RULE 7

Filing of Petition

An original and four clear copies of the petition, either printed or typewritten as provided in Rule 4, shall be filed with the Board at Washington, D. C. The copies of the petition shall be conformed to the original by the petitioner.

Failure to file a sufficient number of copies, as provided in this rule, or to conform to the requirements of Rule 5, shall be ground for dismisal of the proceeding.

RULE 8

Fee for Filing Petition

A fee of $10 is hereby imposed for the filing, after the enactment of the Revenue Act of 1926, of any petition. No such petition may be filed until such fee is paid to the Board, nor will the filing of any petition be antedated to a time prior to the payment of such fee.

RULE 11

Docket

Upon receipt of the petition, accompanied by the filing fee provided by Rule 8, the proceeding will be docketed and assigned a number and the parties notified thereof. This number shall be placed by the parties on all papers filed thereafter in the proceeding.

RULE 12

Service on the Commissioner

Upon filing of a petition and the copies, as prescribed in Rule 7, the Board wil serve a copy upon the Commissioner.

The Commissioner shall not be required to answer any petition unless and until he has been served with a copy thereof as herein provided.

Service of copy of petition on the Commissioner, or a person designated by him, shall suffice in lieu of process.

RULE 14

Answer*

After service upon him of a copy of the petition, the Commissioner shall have 60 days within which to file an answer or 45 days within which to move in respect of the petition. The answer shall be so drawn as fully and completely to advise the petitioner and the Board of the nature of the defense. It shall contain a specific admission or denial of each material allegation of fact contained in the petition and shall set forth any new matters upon which the Commissioner relies for defence or affirmative relief. Each paragraph contained in the answer shall be numbered to correspond with the paragraphs of the petition. An original and four copies of the answer shall be filed, of which the original shall be signed by the Commissioner or his counsel and the copies conformed by him.

RULE 15

Service of Answer

Upon the filing of the answer the Board will serve one copy thereof on the petitioner or his counsel by registered mail.

RULE 16

Service on Counsel

Service of any pleading, order, or notice upon the counsel of record shall be deemed service thereof upon the party.

RULE 17

Joinder of Issue

A proceeding shall be deemed at issue upon the filing of the answer, and any new or affirmative matter therein shall be deemed to be denied by the petitioner.

RULE 18

Amendment and Supplemental Pleadings

The petitioner may, as of course, amend his petition at any time before answer is filed. After answer is filed, a petition may be amended only by consent of the Commissioner or on leave of the Board.

Upon motion made, the Board may, in its discreation, at any time before the conclusion of the hearing, permit a party to a proceeding to amend the pleadings to conform to the proofs.

RULE 19

Further and Better Statement in Pleading May Be Required

A further and better statement of the nature of the claim or defense, or of any matter stated in any pleading, may be ordered in any proceeding.

RULE 20

Extensions of Time

Continuances, extensions of time (except for the filing of the petition), and adjournments may be ordered by the Board on its own motion of may be granted by it in its discretion on motion of either party filed in writing and showing good and sufficient cause therefor.

RULE 24

Calendars

(a) General calendar.—All proceedings will as of course be placed upon the general calendar in the order in which they are at issue.

(b) Circuit calendar.—A proceeding may, in the discreation of the Board and upon timely motion, be placed upon the circuit calendar for hearing outside Washington.

(c) Day calendar.—The clerk will, from time to time as directed by the Chairman, prepare a day calendar of the proceedings to be heard in Washington and elsewhere, and cases will be placed thereon as nearly as may be in the order in which they are at issue.

(d) Reserve calendar.—The hearing of a proceeding may be placed on the reserve calendar for good cause shown, as, for example, to await the decision of the Supreme Court in a case pending.

RULE 25

Notice of Hearing

When a proceeding has been placed upon the day calendar the clerk will, not less than 15 days in advance, notify the parties of the place where and the date when it will be called upon the day calendar.

RULE 26

Hearing Fees

A hearing fee of $10 is hereby imposed on every proceeding pending before the Board at the time of the enactment of the Revenue Act of 1926, which has not been heard on the merits before such enactment. Such fee shall be paid on demand and before the hearing of any such proceeding. Failure to pay such fee shall be sufficient ground for the dismissal of the proceeding.

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*Amended May 1, 1928.

RULE 27

Call of Calendar and Assignment of Hearing

A calendar of proceedings to be heard at Washington will be called at 9:30 a. m., and elsewhere at 10 a. m., on the date set, and the proceedings which are ready to be heard will be assigned for hearing in due course.

RULE 29

Submission Without Personal Appearance

A proceeding in which issue has been joined, in which no issue of fact is raised, or in which evidence of contested facts has been submitted other than by oral hearing before the Board, or one in which there is a contested motion not predicated on an issue of fact, and both parties are not present in person or by counsel at the time of hearing, will be regarded as submitted on the part of the absent party or parties. Briefs may be filed in lieu of personal appearance, but the Board may, in its discretion, require appearance for argument.

Where there is a joinder of issue on questions of fact, the provisions of this rule relative in submission without argument shall not relieve the party upon whom rests the burden or proof from adducing at the hearing proper evidence in support of the issues. Statements in the petition, ex parte affidavits, and briefs do not constitute evidence. Failure to adduce evidence in support of facts alleged in the petition and denied by the Commissioner in his answer will be ground for dismissal.

RULE 30

Burden of Proof

The burden of proof shall be upon the petitioner, except that in respect of any new matter of fact pleaded in his answer, it shall be upon the respondent.

RULE 31

Dismissal

A proceeding may be dismissed for cause upon motion of either party or by the Board upon its own motion.

RULE 32

Motions

Motions must be timely and, except during trial, must be in writing, and an original and four copies filed. One copy will be served upon the adverse party. Motions will be acted upon as justice may require and may, in the discretion of the Board, be placed upon the day calendar in Washington for argument, and in that event both parties will be notified thereof not less than 15 days before the date so set.

The filing of a motion shall not constitute cause for postponement of a hearing from the date set.

RULE 35

Briefs

Briefs may be filed within the time fixed by the Division before which the hearing is had. If the briefs are typewritten, an original and four copies shall be filed; if printed, 20 copies.

Briefs shall contain, in the order here stated:

(a) A statement of the nature of the tax and how the proceeding comes before the Board.

(b) A concise statement of the facts, which should contain references to the pages of the transcript or to the exhibits relied upon in support thereof.

(c) A concise statement of the points upon which the petitioner relies.

(d) The argument.

Every brief of more than 20 pages shall contain on its front fly-leaves a table of contents with page references, supplemented by a list of all cases referred to, alphabetically arranged, together with references to pages where the cases are cited.

RULE 36

Substitution or Withdrawal of Counsel—Notice of Appearance

Counsel of record shall promptly notify the Board of his withdrawal as counsel for the petitioner in any proceeding pending. Where the petition is not subscribed by counsel, or counsel has withdrawn, counsel subsequently appearing for the petitioner shall immediately file a notice of appearance, which shall include a statement of the mailing address of such counsel.

Notice of a change in the mailing address of counsel or petitioner shall be promptly filed with the Board of each pending proceeding affected thereby.

RULE 37

Substitution of Parties

In the event of the death of a petitioner, or for other cause, the Board may order the substitution of the proper parties. In event of mistake in the nature of title of a proper party, the Board may order substitution of the proper name or title in any proceeding before the Board.

RULE 38

Stipulations

The parties may, by stipulation in writing filed with the Board or presented at the hearing, agree upon any facts involved in the proceeding.

RULE 39

Evidence

The rules of evidence applicable in courts of equity of the District of Columbia shall govern the admission or exclusion of evidence before the Board or any of its Divisions.

RULE 40

Transcripts of Proceedings

Hearings before the Board or its Divisions shall be stenographically reported and a transcript thereof shall be made if, in the opinion of the Board or of the Division holding the hearing, a permanent record of the hearing is deemed necessary. Transcripts shall be supplied to the parties and to the public by the official reporter at such rates as may be fixed by contract between the Board and the reporter.

RULE 43

Documentary Evidence

(a) When books, records, papers, or documents have been received in evidence, a copy thereof or of so much thereof as may be material or relevant may, in the discretion of the Division holding the hearing, be substituted therefor.

(b) After the decision of the Board in any proceeding has become final the Board may, upon motion of either party, permit the withdrawal by the party entitled thereto of originals of books, documents, and records, and records, and of models, diagrams, and other exhibits, introduced in evidence before the Board of any Division; or the Board may, on its own motion, make such other disposition thereof as it deems advisable.

RULE 44

Subpoenas

(a) How issued.—No subpoena will be issued at the instance of either party except upon written application timely made.

(b) Application for.—The application shall state the name and address of each witness required, the time and place at which and the person before whom he is to appear, and whether he may designate someone to appear in his place.

(See Form No. 3.)

(c) For production of documents.—If evidence other than oral testimony is required, such as documents or written data, the application shall set forth the specific matter to be produced and sufficient facts to indicate that such matter is reasonably necessary to establish the cause of action or defense of the applicant.

(d) Service and proof.—The Board will not serve subpoenas, but will leave service to be procured by the party making the application. Service may be made by any citizen of the United States over the age of 21 years and competent to be a witness, and not a party to or in any way interested in the proceeding. Proof of service may be made by affidavit.

(See Form No. 4.)

RULE 45

Depositions

Depositions may be taken in accordance with the following rules:

(a) Application to take.—When either party proposes to a take a disposition, a verified application, with two conformed copies, shall be filed with the Board settling forth the following:

(1) The name and post-office address of the witness whose deposition is proposed to be taken.

(2) The subject matter or matters concerning which the witness it to testify, together with a statement of the reasons why it is desired to take the depositions and why the witness should not be required to appear personally and testify at the hearing.

(3) The time and place of taking the deposition and the name, post-office address, and official designation of an individual competent to administer oaths under the Revenue Act of 1926 before whom it is proposed that the deposition shall be taken.

(See Form No. 5.)

(b) Order for.—Upon receipt of such application, the Board will serve a copy thereof on the opposite party, allow a reasonable time for objection thereto and will, in its discretion, make an order, copy of which will be mailed or delivered to the parties or their counsel, wherein the Board will name the witness whose deposition is to be taken and specify the time when, the place where, and the officer before whom the witness is to testify, but such time and place and the officer before whom the deposition is to be taken, so specified in the Board's order, may or may not be the same as those named in the application to the Board.

(See Form No. 6.)

(c) By stipulation.—At any time after issue is joined the parties or their counsel may, by stipulation duly signed and filed, take depositions. In such cases the stipulation shall state the name and address of each witness, the time when, and the place where such deposition will be taken, and the name, address, and official title of the officer before whom it is proposed to take the deposition. In such cases no order to take such deposition will be issued, but such deposition shall be taken and returned by the officer in accordance with the rules of the Board.

(d) Manner of taking.—Each question propounded to the witness must be recorded and his answers must be taken down in his own words.

Objections to questions or answers shall be explicitly but briefly and concisely stated, but no comment, explanation, or argument of any kind shall be recorded; neither shall there be recorded any comment, explanation, or argument by examining counsel. Any matter reported in violation of this rule may be sufficient cause for the suppression of the deposition.

(e) Witnesses not named in notice.—If both parties are present or represented at the time and place specified in the notice, either party may, after the examination of the witness produced under the notice, be entitled to produce and examine other witnesses; but in such case one day's notice must be given to the adverse party or his attorney there present, unless such notice is waived.

RULE 46

General Provisions as to Depositions

(a) Other witnesses to be excluded.—At the request of either party a person whom either expects or intends to call as witness in the same case or in any kindred case shall be excluded from the room where the testimony of a witness is being taken. If such person remains in the room or within hearing of the examination after such request has been made, he shall not thereafter be admitted to testify in the case or any kindred case except by the consent of the party who requested his exclusion.

(b) Of the oath.—Witnesses must be sworn or affirmed before any questions are put to them.

(c) Depositions to be signed.—The testimony of the witness when transcribed shall be read over to or by him and be signed by him.

(d) What return must show.—In his return the officer must show that the witness was properly sworn or affirmed and that the questions and answers were taken down in his presence.

(See Form No. 6.)

(e) Sheets to be attached.—The officer must so fasten the sheets of the deposition that they can not be tampered with. He must spare no pains to return to the Board the exact evidence he has taken. All exhibits must be carefully marked so as to be capable of identification and when practicable must be attached to the deposition.

(f) Caption—The officer must state in the caption of the deposition the cause in which it was taken, the place and date of taking, the name of the witness, the party by whom called, and the names of parties and counsel present, and the body of the deposition must also show by whom the witness was examined and cross-examined.

(g) Qualification of officer.—In no case shall a deposition be taken before any person who has any office connection or business employment with the taxpayer or his attorney except by consent of parties and when no other officer is available, and in his certificate to such deposition such officer shall so certify.

(h)* Return of.—The officer must inclose the depositions and exhibits, together with two copies of the depositions, in a sealed packet, with postage or charges prepaid, and direct and mail or express the same to the United States Board of Tax Appeals, Washington, D. C. In each case the original of the depositions must be directed and mailed or expressed to the Board. The officer may, upon written request, deliver a copy of the depositions to either or to both of the parties, or to their representatives, in lieu of sending such copies to the Board as above provided. If one or both of the required copies are delivered by the officer taking the depositions, he shall attach to his return the written request of the party or parties, or of their counsel to whom such copy or copies were delivered, and shall state in his certificate of return the fact of delivery by him of such copy or copies. If copies of the depositions are delivered by the officer taking the same, no service of copies of such depositions upon the party or his counsel of record will be made by the Board.

(i) Limitation on time for application to take.—Applications to take depositions must be filed at least 30 days prior to the date set for the hearing of the proceeding, and such depositions must be completed and filed with the Board at least 10 days prior to the hearing: Provided, such applications will not be regarded as sufficient ground for the granting of a continuance from the date or place of the hearing theretofore set, unless the proceeding shall have been at issue less than 60 days and the motion for continuance shall have been filed not less than 20 days prior to said date of hearing; Provided further, that under special circumstances, and for good cause shown, the Board may otherwise order.

RULE 47

Depositions on Written Interrogatories

Depositions may be taken in the discretion of the Board on written interrogatories in substantially the same manner as provided in Rules 45 and 46 for despositions on oral examinations. The interrogatories must be filed with the applications in triplicate and a copy thereof will be served upon, or mailed to, the opposite party by the Board. Within 10 days after such notice such opposite party may file with the Board his objections, if any, to such interrogatories, together with any cross-interrogatories he desires to propose. If he file cross-interrogatories, they shall be filed with the Board in triplicate and one copy thereof will be forwarded to the opposite party, or his counsel, who shall within 10 days thereafter file his objections, if any, to such cross-interrogatories. No objections to the interrogatories or cross-interrogatories will be considered at the hearing unless taken before the order for the taking of the deposition issues.

When a deposition is taken upon written interrogatories and cross - interrogatories neither the counsel for the taxpayer nor for the Commissioner, nor any person other than the witness, a stenographic reporter and the the officer taking the deposition shall be present at the examination of the witness, which fact shall be certified by the officer taking the deposition who shall in such case propound the interrogatories and cross-interrogatories to the witness in their order and reduce the testimony to writing in the witness's own words.

Depositions obtained in foreign countries must be taken on written interrogatories.

RULE 50

Settlement of Final Determination**

When the Board determines the issues in any proceeding and withholds final decision of the deficiency or overpayment for later computation, the parties shall, if they are in agreement as to the amount of the deficiency or overpayment, in according with the determination of the Board, file with the Board an original and four copies of a computation showing the amounts for entry of final decision forthwith. If the parties are not in agreement as to the amount to be entered in the final decision, either of them may file with the Board a computation of the deficiency or overpayment believed by him to be in accordance with the determination of the Board. The clerk will serve a copy thereof upon the opposite party and will thereupon place the matter upon the day calendar for hearing in due course and give the usual notice. If the opposite party fails to file objection, accompanied by an alternative computation, within five days prior to the date of such hearing, or any continuance thereof, the deficiency or overpayment shown in the computation already submitted shall be taken to be correct and decision thereon will be entered. If the parties submit different computations and amounts, they will be afforded an opportunity to be heard thereon on the date fixed, and the Board will determine the correct deficiency or overpayment and enter final decision.

Any hearing under this rule will be confined strictly to the consideration of the correct computation of the deficiency or overpayment resulting from the determination already made, and no argument will be heard upon or consideration given to the issues or matters already disposed of by such determination or of any new issues. This rule is not to be regarded as affording an opportunity for rehearing or reconsideration.

RULE 51

Costs—Preparation of Record on Review†

It shall be the duty of the clerk, immediately after the contents of a record on review have been settled or agreed to, to notify the petitioner of the costs and charges for the preparation, comparison and certification of said record; such charges to be determined in accordance with the provisions of an Act of Congress entitled "An Act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, 43 Stat. 857-8.

No transcript will be certified and transmitted to the appellate court until the costs and charges therefor have been paid to the Board.

RULE 52

Costs—Printing of Record on Review‡

In each proceeding for review of a decision of the Board by the United States Circuit Court of Appeals for the Second Circuit when review is sought by the Commissioner of Internal Revenue, the clerk of the Board shall, immediately after the contents of the record on review, as required by Rule 35 of the Court, have been settled or agreed upon, make available to the Commissioner, or his counsel, the record of the Board in the proceeding. The Commissioner shall cause the record to be printed. Sixteen copies of the printed record shall be delivered to the clerk of this Board for certification and filing with the clerk of the Circuit Court of Appeals.

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*Amended Aug. 1, 1927.
**Amended Apr. 28, 1928.
†Adopted July 2, 1927.
‡Adopted Dec. 6, 1927.

The clerk of the Board shall serve five copies of the printed record upon counsel for the taxpayer by registered mail.

RULE 60

Fees and Mileage

The following is from the Revenue Act of 1926:

"Sec. 909. (a) Any witness summoned or whose deposition is taken under section 908 shall receive the same fees and mileage as witnesses in courts of the United States. Such fees and mileage and the expenses of taking any such deposition shall be paid as follows:

"(1) In the case of witnesses for the Commissioner, such payment shall be made by the Secretary out of any moneys appropriated for the collection of internal revenue taxes, and may be made in advance.

"(2) In the case of any other witnesses, such payments shall be made, subject to rules prescribed by the Board, by the party at whose instance the witness appears or the deposition is taken.

"(b) This section shall take effect as of June 2, 1924, in the case of fees, mileage, or expenses accrued prior to but remaining unpaid at the time of the enactment of the Revenue Act of 1926."

No witness, other than one for the Commissioner, shall be required to testify in any proceeding before this Board until he shall have been tendered the fees and mileage to which he is entitled in accordance with the above provision of law.

RULE 61

Computation of Time—Sundays and Holidays

When the time prescribed by these rules for doing any act expires on a Sunday or a legal holiday in the District of Columbia, such time shall extend to and include the next succeeding day that is not a Sunday or such a legal holiday; Provided, That when the time for performing any act is prescribed by statute nothing in these rules shall be deemed to be a limitation or extension of the statutory time fixed.

The following-named days are legal holidays within the District of Columbia:

New Year's Day, January 1 (Sec. 993, Revised Stat. relating to D. C.)

Washington's Birthday, February 22 (Act of January 31, 1879).

Inauguration Day, every fourth year (Act of June 18, 1888).

Decoration Day, May 30 (Act of August 1, 1888).

Fourth of July (Sec. 993, Revised Stat. relating to D. C.)

Labor Day, first Monday in September (Act of June 28, 1894).

Thanksgiving Day, day proclaimed by President (Sec. 993, Revised Stat. relating to D. C.)

Christmas Day, December 25 (Sec. 993, Revised Stat. relating to D. C.)

When legal holidays fall on Sunday the next day shall be a holiday (Act of December 20, 1881).

RULE 62

Special Assessment*

(a) If some of the issues raised by the petition involve section 327 or section 328 of the Revenue Act of 1918 or of 1921 (or section 210 of the Revenue Act of 1917, as the case may be), and some do not involve such sections, the hearing may, in the discretion of the Board, on motion, be limited in the first instance to trial of the issues which do not involve such sections.

(b) After decision on such other issues, or if no such other issues are raised by the pleadings, a hearing may, in the discretion of the Board, on motion, be had, limited to the trial of the issue whether the petitioner is entitled to have its tax determined as provided in section 328 (or section 210, as the case may be).

(c) If the Board decides that the petitioner is entitled to have its tax determined as provided in section 328 (or section 210, as the case may be), the respondent shall within 60 days after such decision file with the Board an original and four copies of a proposed redetermination showing the basis and method of the computation. If, within 20 days after service by the Board upon the petitioner of a copy of such proposed redetermination, the parties are unable to agree upon the amount of tax, either party may move, or the Board may upon its own motion order, that the case be placed upon the day calendar for further hearing, at which either party may submit proof of the correct amount of tax and deficiency or overpayment.

(d) If from the pleadings or otherwise it appears of record before the Board that the parties agree that petitioner is entitled to have its tax determined as provided in section 328 (or section 210, as the case may be), and the only issue is as to the correct amount of the tax so determined, the case will be placed upon the day calendar in due course for hearing, at which either party may submit proof of the correct amount of the tax and deficiency or overpayment.

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*Adopted Dec. 28, 1927.

Michigan Supreme Court

Revised and Effective July 15, 1933

RULE 1

When Rules Go Into Effect—Their Application

Section 1. These rules shall take effect on July 15, 1933, as to all causes commenced on or after that date, and also as to any cause commenced previous to that date, so far as concerns proceedings therein subsequent to the date when the same shall be at issue, and as to the practice in appeals, they shall take effect as to any appeal perfected on or after said date. All rules not herein contained are hereby repealed except as above provided.

Section 2. The provisions of these rules shall apply alike to law and chancery cases and proceedings except when it clearly appears that they apply to either law or chancery cases only. They shall apply to the Supreme, circuit, recorder's and superior courts, and to circuit court commissioners, except where a restricted application is expressly provided or necessarily implied.

Section 3. Rules of practice set forth in any statute, not in conflict with any of these rules, shall be deemed to be in effect until superseded by rules adopted by the Supreme Court.

Section 4. These rules shall take effect July 15, 1933, provided that, as to appeals, the appellant shall have the option until September 1, 1933, of proceeding under these rules or under the rules of 1931. Appeals thereafter shall be in accordance with these rules, and in case of difficulty caused by the application of amendments to appeals already commenced, the trial court or Supreme Court may, on motion, make proper orders to preserve and complete the appeals.

RULE 2

Clerk's Duties

Section 1. The clerk of the Supreme Court shall reside and keep the office at the city of Lansing, and he shall not practice either as attorney or counselor in this court or in any other court while he shall continue to be clerk of said court.

Section 2. The office of the clerk of every court of record shall be open, and the clerk or his deputy shall be in attendance therein, during business hours on all days except Sundays and legal holidays.

Section 3. The clerk shall endorse on every paper the day on which the same is filed, and shall not suffer or permit any writ, pleading, affidavit, deposition or other paper whatever on file in his office to be taken therefrom without the order of the court or a judge thereof, but parties interested in any such may inspect the same in his office and take copies thereof.

Section 4. The accounts of the clerk with the banks in which the moneys are directed to be deposited shall be kept in such a manner that in the cash books of the banks, and in the bank books of the clerk, it shall appear in what particular suit, or on what account, the several items of money credited or charged were deposited or paid out.

Section 5. Orders upon the banks for the payment of moneys out of court shall be made payable to the order of the person entitled thereto, or of his attorney duly authorized, and shall specify in what particular suit, or on what account, the money is to be paid out, and the time when the decree or order authorizing such payment was made.

Section 6. Notice of judgments entered in courts of record, in civil causes, shall be given forthwith in writing by the clerk of the court to the attorneys of record in the case, in the manner provided in Rule 8.

Section 7. After an appeal has been determined by the Supreme Court, or on rehearing or new trial granted by the trial court, the clerk of the Supreme Court shall promptly return such original records as he may have to the clerk of the court or tribunal from which they were received, and shall also promptly transmit to such clerk a certified copy of the order, judgment or decree, if any, entered thereon.

RULE 3

Fees of Clerk of Supreme Court

Section 1. There shall be paid to the clerk of the Supreme Court six dollars upon entering any case in the Supreme Court, which amount shall be in full for all fees in such case. Provided, that an additional sum of two dollars shall be paid to the clerk upon the entry of any motion upon the motion docket except in cases of mandamus, where the motion fee shall be four dollars. The foregoing fees may be taxed by the prevailing party where costs are allowed by order of the court. The clerk shall also be allowed the sum of fifteen cents per folio for certified copies of any entries or papers in any suit or proceedings when required for any other purpose than one connected with the progress or disposition of such suit or proceeding.

Section 2. The clerk's fees for all proceedings relative to the admission of any person to the bar, including the proper certificate, shall be the sum of two dollars.

Section 3. The clerk shall charge the sum of thirty cents per page based on double spaced typewriting for all uncertified copies of opinions, excepting those sent to one counsel representing each party in the case, for which no charge shall be made. The clerk shall mail such counsel a copy of the opinion filed in said cause, within three days after it is filed.

RULE 4

Claims by Clients Against Attorneys

Attorneys and counselors are officers of the courts of this State, and as such are subject to the summary jurisdiction of such courts. The circuit court of the county in which any attorney resides has jurisdiction in all matters in which the relationship of attorney and client exists, and, on verified written complaint of any client, either in person or by attorney, after reasonable notice and hearing of such complaint, may make any order either for the payment of money or for the performance of any act by any attorney which law and justice may require. All courts of record have a like jurisdiction as to all such complaints regarding matters arising in suits or proceedings in such courts.

RULE 5

Taxation of Costs

Section 1. In the Supreme Court, costs shall be taxed by the clerk upon notice of not less than four days. If the party upon whom such notice is served shall reside outside the city of Lansing, the time of service of such notice shall be increased one day for every additional one hundred miles distance, or fraction thereof, between his place of residence and the city of Lansing. Provided, that no notice need be given of more than ten days. Such notice shall be accompanied by a copy of the bill proposed to be taxed and the affidavits to be read in support thereof.

Section 2. The necessary expense of printing the briefs and records required by these rules in appeals to the Supreme Court may be taxed as disbursements in favor of the party prevailing in the cause, unless otherwise ordered by the court.

Section 3. A counsel fee shall be awarded to the prevailing party in all appeals to the Supreme Court unless otherwise ordered by the court (excepting in criminal cases,) in addition to such other costs as such party may be entitled to, as follows:

(a) On motions which do not finally dispose of the case, ten dollars; (b) on appeals given an early hearing as in case of motion, fifteen dollars; (c) on motions which finally dispose of the case, twenty dollars; (d) on calendar causes, fifty dollars.

Section 4. In motions for rehearing in the Supreme Court, if denied, the opposing party shall be entitled to tax a motion fee of fifteen dollars and the expense of printing a brief, if one has been furnished.

Section 5. In circuit, recorder's and superior court, costs in a cause may be taxed by the court or the clerk may tax such costs, including his own fees therein, subject to retaxation by the court on motion of either party. But on such retaxation, no affidavit or objection which was not presented to the clerk shall be heard or allowed.

Section 6. Attorney's fees shall be allowed as costs to the prevailing parties in chancery cases, as follows:

(a) In all cases determined by final decree on pleadings and proofs, thirty dollars.

(b) In all cases determined by final decree on bill and answer, or motion to dismiss, twenty dollars.

(c) In all cases where the decree is taken on the bill taken as confessed, or where the bill is voluntarily dismissed by plaintiff after appearance and before the cause is at issue, fifteen dollars.

Upon all special motions, such sum, not exceeding ten dollars, as the court shall deem just. When a bill is dismissed for default at the hearing, or for want of prosecution, or voluntarily by the plaintiff, after the same is at issue, the defendant shall be entitled to the same costs as if the cause had been heard.

When the bill is dismissed upon payment of the claim or performance of the relief sought before decree, the plaintiff shall be entitled to the same costs as if the case had been heard. If such payment or performance is made before answer, the costs shall be as on bill taken pro confesso; if after any pleading is put in and before proofs, they shall be as on a hearing upon pleadings; and if proofs are taken the costs shall be as on a hearing upon pleadings and proofs.

In divorce cases the costs shall be under the direction of the court.

Where there are several defendants entitled to costs, the costs granted by this rule shall be apportioned among them as the court may deem proper.

Fees of officers, necessary disbursements and witness fees shall be taxable in chancery as at law.

Section 7. Whenever a bond is required by law in any action or proceeding for the protection fo any right, including bonds on appeal and for stay of proceedings, the reasonable cost of procuring such bond shall be part of the taxable costs of the case, unless otherwise ordered by the court.

Section 8. Where separate judgments are entered under the provisions of Rule 30, Section 5, or Rule 37, Section 12, costs shall be allowed in but one of such judgments. If the plaintiff recover on any of such causes of action for an amount and under circumstances entitling him to costs under the provision of the statute relating thereto, he shall have judgment therefor; otherwise costs shall be adjudged in favor of the defendant.

RULE 6

Parties—How Designated

Section 1. In all original proceedings, the party who institutes the same shall be designated as plaintiff and the adverse party as defendant.

Section 2. In all appeals the relative position of the parties and their designation as plaintiffs or defendants shall be the same as in the court or before the tribunal or officer whose action is in question; but they shall further be designated as appellants and appellees.

RULE 7

Preparation of Papers for Filing and Service in Original Proceedings

Section 1. All papers and the copies thereof for filing and service shall be fairly and legibly written, typewritten or printed, and be endorsed as hereinafter provided, and the clerk shall not file such as do not conform to this rule.

Section 2. All papers shall be entitled in the court and cause, and the plaintiff's name shall be placed first: Provided, that affidavits annexed to and referring to another paper which is properly entitled in the court and cause need not be entitled.

Section 3. In cases where there are two or more plaintiffs or two or more defendants, it shall be sufficient in entitling papers to name the first-named plaintiff and the first-named defendant with the usual indication of other parties, provided there be added the official number of the cause: Provided, further, that in all orders and notices required to be published and in all judgments and decrees the full names of all parties shall appear in the title of the cause.

Section 4. All papers for filing or service shall also contain on the outside an abbreviation at least of the title of the court and cause and the character of the paper.

Section 5. The first paper filed in any cause to be served upon the opposite party shall be subscribed thereto, or endorsed thereon, the business address of the attorney filing the same, or of the party who appears in his own proper person.

RULE 8

Service and Filing of Papers

Section 1. When the attorney of record for the adverse party resides or has his office in the same city, village or township as the attorney making the service, papers shall be served as follows:

(a) By delivering the same to the attorney personally;

(b) Or by leaving the same in his office with his clerk, or with a person having charge thereof;

(c) Or, when no person is to be found in his office, by leaving the same, between the hours of six in the morning and nine in the evening, in some suitable and conspicuous place in such office;

(d) Or by depositing the same in the postoffice of the city, village or township, enclosed in an envelope, plainly addressed to such attorney at his business address, with postage fully prepaid.

Section 2. When the attorney resides or has his office in a different city, village or township than the attorney making the service, papers shall be served as follows:

(a) By delivering the same to the attorney personally, or by leaving the same in his office with his clerk or with a person having charge thereof;

(b) Or by depositing the same in some postoffice directed to the attorney at his business address, with postage fully prepaid, such address to be ascertained according to the best information and belief of the person making such service. And in such case the time of service must be increased one day for every one hundred miles distance, or fraction thereof, between the place of deposit and the place of address.

Section 3. In cases where there are two or more defendants, who appear by different attorneys, service of all papers in behalf of the plaintiff shall be made on the attorney for each of the defendants.

And in such case service of all papers in behalf of any defendants shall be made on the attorney for each of the other defendants, and upon the attorney for the plaintiff.

In case two or more attorneys appear for the same party or parties, service on any one of said attorneys, whether they be partners or not, shall be sufficient. But service need not be made on attorneys appearing as "counsel" only.

Section 4. When a party prosecutes or defends his cause in person, service of papers shall be made on him in the manner hereinbefore provided for service on attorneys, whether such party be a licensed attorney or not.

Section 5. In all cases where service of papers cannot reasonably be made on account of the lack of an attorney of record, or the inability to find a party, or for any other reason, the court in which such cause is pending, or judge thereof at chambers, upon an ex parte application, on cause shown, may direct in what manner and on whom service may be made.

Section 6. When the object is to bring a party into contempt for disobeying any rule or order of the court, the service shall be on such party personally, unless otherwise specially ordered by the court; or unless the statute under which the application is made does not require personal service on the defendant.

When the defendant is returned imprisoned for want of bail, a copy of the declaration shall be delivered to him or to the sheriff or jailer in whose custody he shall be, and when an exception is entered to bail, and no notice of retainer of an attorney to defend is given, notice of such exception shall be delivered to the sheriff or one of his deputies.

Section 7. No service of papers shall be necessary on a defendant who has not regularly appeared, except as especially required by rule or statute. But a defendant who has appeared by notice of retainer or appearance shall be entitled to notice in advance of all future proceedings in the cause, although he may not have followed his appearance by plea or answer.

Section 8. When a party accepts or acknowledges in writing the service of any process, pleading or notice, and an affidavit is filed therewith, showing the genuineness of his signature, the same shall have the same effect as a return or other legal proof of service.

RULE 9

Computation of Time on Service of Papers

The day on which any rule shall be entered, or order, notice, pleading or paper served shall be excluded in the computation of the time for complying with the exigency of such rule, order or notice, pleading or paper, and the day on which a compliance therewith is required shall be included, except where it shall fall on Sunday or a legal holiday, in which case the party shall have the next business day to comply therewith.

When, by the terms of any order, an act is directed to be performed instanter or forthwith, it shall be done within twenty-four hours.

RULE 10

Motions and Petitions—Practice On

Section 1. All special motions and petitions made in any court (except motions for continuance and motions to strike causes from calendar) shall be in writing and shall be signed by the attorney, or counsel, of the party in whose behalf the same are entered, and shall set out briefly but distinctly the grounds upon which the same are founded, and with the affidavits supporting the same shall be filed in the office of the clerk of the court on or before the day on which they are noticed for argument.

In the supreme court all motions and affidavits in support thereof shall be typewritten or printed and filed with the clerk, and all papers filed by either party on motions shall contain proof of service of same on opposing counsel.

Section 2. Notice of the argument of motions and petitions (except motions for continuance and motions to strike causes from calendar), together with a copy thereof and of the affidavits on which they are based, shall in all cases be served on the opposite attorney at least four days before the time noticed for hearing the same. Provided, that for good cause the court may hear such argument on shorter notice, and provided further, that in the case of motions in the Supreme Court where the attorney resides outside the city of Lansing, the time of service shall be increased one day for every additional one hundred miles or fraction thereof between his place of residence and the city of Lansing.

Section 3. Motions and petitions in any court shall be argued on the day for which they are noticed, if the party has an opportunity to be heard on that day, unless the court (or circuit court commissioner, in a matter pending before him) shall otherwise direct. If there is not sufficient time to finish the business noticed for any day, it may be continued from day to day until it is completed; or it may be adjourned to some subsequent day. And motions and petitions which cannot be heard on the day for which they are noticed shall, in the absence of special order, stand continued from day to day without any special continuance.

Not more than one counsel on each side shall be entitled to be heard on the argument of any petition or motion, the mover being entitled to open the argument and to reply to the argument of the opposite counsel, except as otherwise provided in Section 4 of this rule.

Section 4. Courts may by rule or otherwise require filing of motion notices or praecipes, of briefs on law and fact, and of proposed orders, as a condition precedent to the hearing of argument on motions, and may dispense with oral arguments on motions in their discretion.

In the Supreme Court, no oral arguments shall be had on motions unless by special permission of the court first obtained, but such permission will be given in all cases involving constitutional questions or personal liberty. When oral arguments are permitted they shall be limited to fifteen minutes on each side, without reply, unless further time is granted by the court before the argument begins. In addition to oral arguments, each party shall submit a printed or typewritten brief at the time such argument is made.

Section 5. Whenever an order has been granted in any chancery proceeding it shall be presented for signature within five days after the granting of the same. If such order is not so presented or time extended by the court, it will be considered as abandoned, and a new application for such order may be made only to the judge granting the original order, or his successor, upon such terms as may appear just and equitable.

Section 6. The clerk of the Supreme Court shall keep a motion docket and shall enter the motions filed under this rule on said docket in the order in which they are delivered to him, and will, on the opening of the court on motion days, present such docket to the court. Motions will be called for argument in their order, and no motions will be entertained unless brought forward as provided by these rules.

The motion day in the Supreme Court shall be Tuesday of each week, on which days motions shall have preference over calendar causes, and all special motions shall be noticed for one of these days. They shall be heard on the day for which they are noticed, unless adjourned over to a subsequent motion day, or unless there is not time to hear the same on the day for which they are noticed, in which case they shall be heard on the next succeeding day.

RULE 11

Agreements to be in Writing

No private agreement or consent between the parties to a cause, or their attorneys respecting the proceedings in a cause which shall be denied by either party, shall be binding, unless the same shall have been made in open court, or unless evidence thereof shall be in writing subscribed by the party or his attorney against whom the same is alleged.

RULE 12

Common and Special Order and Rules

Section 1. Every rule to which a party would, according to the practice of the court, be entitled of course, without showing special cause, shall be denominated a common rule; and every other rule shall be denominated a special rule. All common rules and all rules by consent of parties shall be filed with the clerk at any time, as well in vacation as during term, and the day when the rule is filed shall be noted thereon, and the party may file such rule as he may conceive himself to be entitled to of course, but at his peril.

Section 2. All orders, made by the direction of the court, shall be entered in the record of the proceedings of the court, and all orders made by the judge at chambers shall be signed by the judge and filed in the cause.

Section 3. Common rules may be signed by the party entitled thereto or by his attorney, and rules by consent of parties may be signed by all parties or their attorneys.

Section 4. When a circuit judge presides in a circuit outside of that in which he resides, and later it becomes necessary to enter an order in a case heard by him, he may forward to the clerk of the court such order, in writing, entitled in the court and case and signed by him, together with directions to enter the same upon the journal of the court, and the same shall be entered by the clerk upon the journal of the court, and have the same force and effect as court orders. If the form of an order shall be consented to by the attorneys for all parties, any judge of said court may sign and enter such order.

RULE 13

Original Writs

Section 1. Original writs may be issued in vacation or in term time, and, except as otherwise provided by statute, may be made returnable at any time, except Sunday, not less than ten days and not exceeding three months from the date when issued; and original writs for the commencement of suit shall notify the defendant to appear in person or by attorney within fifteen days after service of the writ upon him, except as provided in Rule 27, to answer to the suit of the plaintiff according to the rules and practice of the court, with such additional command as shall be appropriate to the action of replevin and to actions commenced by attachment or capias ad respondendum, and the officer or person making such service shall make proof of service immediately thereafter, or, in the case of no service, then immediately after the return day mentioned in the summons. If there be more than one defendant, the proof of service shall, at the request of the plaintiff, be made immediately after service on each defendant, and in such case the proof of service may be endorsed upon or attached to a copy of the writ, and the original retained until the return day for service on the other defendants.

Section 2. On the return of the writ, unserved, further writs, to be designated as first alias, second alias, etc., as the case may be, may be issued as of course at any time within ten days after the filing of such return or within a reasonable time thereafter by leave of court on good cause shown.

Section 3. The following form of writ, or one substantially like it, shall be used in actions not requiring the seizure of property or the arrest of the defendant:

STATE OF MICHIGAN,

(Title of Cause)

In the Name of the People of the State of Michigan.

To..

You are hereby notified that a suit has been commenced against you in the circuit court for the county of.., by.., as plaintiff, and that if you desire to defend the same you are required to have your appearance filed or entered in the cause, in accordance with the rules and practice of the court, in person or by attorney, within fifteen days after service of this summons upon you. Hereof fail not, under penalty of having judgment taken against you by default. The plaintiff claims damages in said suit not exceeding.................. dollars. Service of this summons and proof thereof shall be made on or before the............ day of......................................., 19......

Executed, under the seal of the court, at the ....of.............................., the place of holding said court, this.................day of ...., 19......

....

Clerk.

....

Plaintiff's Attorney.

....

Business Address.

Section 4. In action of replevin, there shall be added to the foregoing form, before the testing clause, a clause substantially as follows:

To the Sheriff of said County:

We command you that you do forthwith, and on or before the return day above mentioned, take into your custody the following goods and chattels, to-wit: (describing the goods and chattels to be replevined), and deliver the same to said plaintiff, if he shall give you security as required by law to prosecute to effect this writ against said defendant, and to return the aforesaid goods and chattels, if return thereof shall be adjudged, and to pay all such sums of money as may be recovered against him hereupon; and also that you summon the said defendant to appear before said court, as above set forth, to answer to said plaintiff concerning the unlawful detention of said goods and chattels.

Section 5. In attachment suits there shall be added a clause substantially as follows:

To the Sheriff of said County:

We command you that you do forthwith and on or before the return day above mentioned attach so much of the lands, tenements, goods, chattels, moneys and effects of the said defendant,..., not exempt from execution, wheresoever the same may be found within said county, as will be sufficient to satisfy the demand of said plaintiff, and that you make an inventory thereof, and safely keep said property to satify any judgment that may be recovered by said plaintiff; and that you serve a copy of this writ and a copy of such inventory, certified by you, upon the said defendant if he can be found in said county.

And in case you shall seize any property of said defendant in said county, but not sufficient to satisfy the demand of said plaintiffs, and costs, then you are hereby further commanded to seize other property of said defendant subject to attachment, sufficient with that seized within said county to satisfy said demand and costs, wherever the same may be found within the state, and to serve a copy of this writ and a certified copy of your inventory upon said defendant if found within either county where property has been seized under this writ.

Section 6. In actions commenced by capias ad respondendum there shall be added a clause substantially as follows:

To the Sheriff of said County:

You are hereby commanded to take said defendant, if he may be found in your bailiwick, and keep him in your custody until he shall be discharged according to law.

Section 7. A copy of the declaration may in any case be served with the writ, and such service shall be shown in the return or affidavit of service of the writ.

RULE 14

Process in Chancery Cases

Section 1. Process in chancery suits may be issued upon the filing of the bill of complaint, and unless otherwise directed, shall be made returnable on a day certain (except Sunday) either in vacation or in term, not less than ten days and not exceeding three months from the issuing thereof; and if process is not executed on or before the return day, further process may be taken out as provided in Rule 13, Section 2.

Section 2. The names of all defendants in a cause shall be inserted in the summons. It may be served by delivering a copy of the writ, subscribed by the plaintiff, his attorney, or the officer or person serving the same, and inscribed "copy," and showing the original, under seal of the court, at the time of such delivery, to the defendant. The service may be on or before the return day mentioned in the summons.

Section 3. The summons in a suit in chancery shall notify the defendant that a bill of complaint has been filed against him by the plaintiff (naming him), and that if he desires to defend the same he is required to cause his appearance to be filed in the cause, in accordance with the rules and practice of the court, and the statutes in such case made and provided, in person or by attorney, within fifteen days after service of the summons upon him, except as provided in Rule 27, and the day on or before which service of said summons and proof thereof shall be made shall be indicated at the foot of the summons, and there shall be an underwriting designating against what defendant, if any, a personal decree is asked.

Section 4. The form of the summons may be as follows:

STATE OF MICHIGAN,

The Circuit Court for the County of..............

In Chancery.

(Title of Cause)

In the name of the People of the State of Michigan:

To..

Greeting: You are hereby notified that a bill of complaint has been filed against you in the circuit court for the county of............ ...., in chancery, by.. as plaintiff, and that if you desire to defend the same, you are required to have your appearance filed in the cause, in accordance with the rules and practice of the court, and the statute in such case made and provided, in person or by attorney, within fifteen days after service of this summons upon you. Hereof fail not, under penalty of having said bill taken as confessed against you.

Service of this summons and proof thereof shall be made on or before the......................... day of.................................., 19......

Executed, under the seal of the court, at the.. of..............................., the place of holding said court, this............... day of......................................, 19......

....
Clerk.

UNDERWRITING: A personal decree is.......... sought against the defendants.......................... and.., and the bill is filed to reach interests in property, and not to obtain any further relief against the remainder of the defendants.

....
Attorney for Plaintiff.

....
Business Address.

And in a divorce case the underwriting shall, in addition to the above, state whether or not alimony or custody of children is prayed for in the bill.

Section 5. A copy of the bill of complaint may in any case be served with the summons, and if so served proof of such service shall be filed.

RULE 15

Proof of Service and Return of Process

Section 1. Proof of service shall be made by indorsing an affidavit of service or an officer's return upon the writ of declaration by which the action was commenced, as by filing such affidavit or return with the clerk of the court.

Section 2. If any sheriff or coroner or person authorized shall fail to return any process to him delivered, on or before the day therein specified, any party interested in procuring a return may cause a rule to be filed requiring such officer or person to return the process within five days after service of notice of such rule; and if such process be not returned within the time specified in such rule, on filing with the clerk an affidavit of the service of such notice, and of the delivery of such process to such officer or person to be served, the default of such officer or person in not making such return may be filed, and thereupon an attachment may be issued of course against such sheriff or coroner or authorized person to compel such return.

RULE 16

Service of Summons by Registered Mail

Service of summons in any case, with or without a copy of the declaration or bill of complaint, or of a copy of the declaration and notice to plead in actions commenced by declaration, may be made by the sheriff in the proper county by registered mail, deliverable to the addressee only, upon residents of the state. The official return receipt of the United States post office department purporting to be signed by the defendant, together with an affidavit of one having personal knowledge of the handwriting of the defendant, that such signature is the defendant's signature, together with the certificate of the sheriff or deputy based on personal knowledge that the package for which said receipt was given contained a true copy of the original summons or other papers sought to be so served, shall constitute prima facie evidence of personal service.

RULE 17

General Rules of Pleading

Section 1. All pleadings must contain a plain and concise statement without repetition of the facts on which the pleader relies in stating his cause of action or defense, and no others. Each count or division of a pleading shall, so far as practicable, be divided into paragraphs consecutively numbered, each containing as near as may be a separate allegation. Dates, sums and numbers may be expressed in either figures or in words.

Section 2. Pleadings shall be as brief as the nature of the case will admit, and shall not state facts of which the courts take judicial notice, nor matters of evidence, and no pleading shall set forth any statement not required to be proved, except where specially required by rule or statute.

Section 3. In pleading a judgment, or the decision of a court or of an officer or a board of special jurisdiction, it shall be sufficient to allege generally that judgment or decision was duly given or made.

Section 4. In pleading the performance of a condition precedent in a contract, it shall be sufficient to allege generally that the party performed all the conditions on his part; if the allegation be denied, the facts must be alleged in connection with such denial showing wherein there was a failure to perform.

Section 5. Whenever a cause of action or defense is based upon a written instrument or document, the substance only of such instrument or document shall be set forth in the pleading, and, except as otherwise provided in these rules, and except where the instrument or document is a matter of public record in the County in which suit is brought or the same or a copy thereof is in possession of the opposite party and so stated in the pleading to be, a copy thereof shall be attached to the pleading as an exhibit, which shall be deemed to be a part of the pleading, or said copy may with like effect be set forth in the pleading. Profert shall not be required.

Section 6. Inconsistent causes of action or defenses are not objectionable, and when the party is in doubt as to which of two or more statements of fact is true, he may allege them in the alternative.

Section 7. Demurrers are abolished, and whenever any pleading at law or in equity is deemed to be insufficient in substance, a motion to dismiss or for judgment on the pleading may be made, and whenever any such pleading is deemed to be indefinite, uncertain or incomplete, a further and better statement of the nature of the claim or defense or further and better particulars of any matter stated in any pleading may be ordered on motion, upon such terms in any case, as to costs and otherwise, as may be just.

Section 8. Every pleading shall be signed by a party or his agent or attorney.

Section 9. The court, on motion and upon terms, may strike from the files any pleading not drawn in conformity to these rules, and any pleading containing scandalous or impertinent matter.

Section 10. If it shall appear at the trial that any fact denied by the pleading ought not to have been denied, and the same is proved or admited at the trial, the actual and reasonable expense of proving or preparing to prove the same, including a reasonable counsel fee for the time and attention devoted thereto, to be ascertained and summarily taxed at the trial, shall be paid by the party making such denial.

Section 11. Any pleading may be verified by the oath of the party filing the same or, in case of his absence from the state or other sufficient cause shown by the oath of any other persons or persons having knowledge of the facts pleaded, and where a pleading is so verified, every subsequent pleading alleging substantive matter must also be verified unless such verification be expressly waived in such verified pleading.

Section 12. In pleadings which are to be verified by the oath of the party, the several matters stated shall be stated positively or upon information or belief only, according to the fact. The oath administered to the party shall be, in substance, that he has read the pleading, or has heard it read, and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters which are therein stated to be on his information and belief, and as to those maters he believes it to be true.

Section 13. The pleading may be sworn to before any officer authorized by the laws of this state to administer oaths or take affidavits. It may also be sworn to before any notary public or other person authorized by the laws of any other state or territory to administer oaths; but if sworn to in any other state or territory, the certificate of the notary shall be under his notarial seal or there shall be added the certificate of the clerk of some court of record of the county, under the seal thereof, showing the official character of the person administering the oath, and the genuineness of his signature. The pleading may be sworn to in any foreign country before any minister or other diplomatic agent or consul of the United States, or any notary public; but the certificate of such notary shall be made under his notarial seal.

RULE 18

Motions to Dismiss and to Quash Service

Section 1. Defendant may, within the time for pleading, file a motion to dismiss the action or suit, where any of the following defects appear on the face of the declaration or bill of complaint, and he may, within the same time, file a similar motion supported by affidavits where any of the said following defects do not appear upon the face of the declaration or bill of complaint:—

(a) That the court has not jurisdiction of the person of the defendant.

(b) That the court has not jurisdiction of the subject matter of the action or suit, provided the defect cannot be removed by a transfer of the case from law to chancery or vice versa.

(c) That the plaintiff has not legal capacity to sue.

(d) That there is another action pending between the same parties for the same cause.

(e) That the cause of action is barred by a prior judgment.

(f That the cause of action did not accrue within the time limited by law for the commencement of an action or suit thereon.

(g) That the claim or demand set forth in the plaintiff's pleading has been released.

(h) That the claim on which the action or suit is founded is unenforceable under the provisions of the statute of frauds.

(i) That the cause of action did not accrue against defendant because of his infancy or other disability.

(j) That the plaintiff assigned or disposed of the cause of action before the bringing of suit.

Section 2. A similar motion may be made by the plaintiff in case of a recoupment, set-off or cross-bill, under similar circumstances.

Section 3. If, upon the hearing of such motion, the opposite party shall present affidavits or other proof denying the facts alleged or establishing facts obviating the objection, the court may take proof, and hear and determine the same and may grant or deny the motion; but if disputed questions of fact are involved the court may deny the motion without prejudice and shall so deny it if the action is one at law and the opposite party demands that the issue be submitted to a jury.

Section 4. A defendant may, within the time for appearing, file a motion to quash the service of the process, on the ground that such service was invalid. Said motion may be supported by affidavits. Every denial of a motion to quash the service of process shall be without prejudice, whereupon the defendant shall have the right to appear generally and plead, and upon general appeal assign error on the trial court's denial of said motion.

RULE 19

Form and Contents of Declarations

Section 1. The declaration shall contain such specific allegations as will reasonably inform the defendant of the nature of the cause he is called upon to defend. Each allegation shall be set forth in a separate paragraph, and the various paragraphs shall be numbered consecutively.

Section 2. Different breaches of a contract, bond or other obligation, and different breaches of duty growing out of the same transaction, may be set out in the same count, and where a breach of statutory duty is alleged, the stutute shall be cited in connection with such allegation.

Section 3. The different counts of a declaration shall be designed as such and numbered consecutively.

Section 4. If after a verdict or judgment it appears in any action that a different cause of action has been proved and should have been pleaded, a new count setting up the cause of action so proved may by leave of court be added to the declaration by amendment, and the verdict and judgment shall stand.

Section 5. In declaring upon a policy of insurance it shall not be necessary to set forth specifically any more than the execution, the date, the amount of the policy, the premium paid or to be paid, the property or risk insured, the interest of the insured, and the loss.

Section 6. The conclusion of a declaration shall set forth plaintiff's claim for judgment, whether for money or property or both, and in cases where a money judgment is claimed, may be in the following form:

"Wherefore plaintiff claims a judgment for the sum of ....dollars."

RULE 20

Bills of Particulars

Section 1. In cases in which the plaintiff pleads any or all of the common counts, he shall serve and file a copy of a bill of particulars with his declaration, without being served with a notice demanding the same unless he shows by affidavit attached to his declaration that the particulars are more fully within the knowledge of the defendant.

Section 2. In other cases, where the defendant is entitled to demand a bill of particulars, the plaintiff shall file and serve a copy of such bill, unless it has been already furnished, on being served with a notice demanding the same, and if such bill be demanded before the expiration of the time for filing an answer, the defendant shall have like time to plead after receiving the bill of particulars, to which he was entitled at the time of serving such notice.

Section 3. If the plaintiff shall unreasonably neglect to furnish a bill of particulars, or if the bill of particulars delivered be insufficient, the court may require a more specific bill of particulars to be furnished, and if the plaintiff shall unreasonably neglect to so furnish it the court may in its discretion nonsuit the plaintiff or allow further time to furnish it.

Section 4. A bill of particulars of set-off shall be furnished or may be demanded under the same conditions as in case of the bill of particulars of the declaration.

Section 5. Whenever a bill of particulars is verified by oath, the items thereof shall be deemed admitted except in so far as the opposite party shall file an affidavit within fifteen days specifically denying the same.

Section 6. Where the party on whom a demand for a bill of particulars has been made believes that the party demanding the same is not entitled to all that is asked for, he may move the court that the demand be modified.

RULE 21

Form and Contents of Bills of Complaint

Section 1. Bills of complaint shall set forth the names of all of the parties thereto, both plaintiff and defendant, and where different causes of action are set forth in a bill, each cause of action shall be stated in a separate division thereof, and each of such divisions shall be complete in itself, as near as may be, and such divisions shall be numbered consecutively.

Section 2. The prayer of every bill of complaint shall be divided into paragraphs numbered consecutively, and shall specify the particular relief which the plaintiff shall conceive himself entitled to, and may also contain a prayer for general relief.

Section 3. Where an injunction or temporary injunction or other extraordinary process is desired, the same shall be prayed for specifically. The prayer for a summons may be omitted and the plaintiff shall be entitled to process of summons on filing the bill of complaint, and to other process when prayed for and ordered by competent authority.

RULE 22

Cross-Bills and Answers Thereto

Section 1. In any action in equity where a defendant desires to obtain affimative relief against a plaintiff or co-defendant, he may file a cross-bill.

Section 2. Where a cross-bill is filed the defendant, in the first division of his pleading, to be designated "Answer", shall answer the allegations of the bill in accordance with the rules as to answers before setting forth the affirative matters of his cross-bill. The cross-bill shall be set up in a second division, designated "Cross-Bill", which as to form, contents, and prayer, shall comply with the rules as to bills of complaint. But no allegation made in the answer division need be repeated to the cross-bill division.

Section 3. The plaintiff shall file and serve an answer to the affirmative matters in the cross-bill contained, which as to form and contents, shall comply with the rules in respect to answers; Provided, however, that in proceedings to enforce mechanics' liens under Section 10 of Chapter 256, C. L. 1929, or amendments thereto or other similar law, where the plaintiff has joined others holding liens or where others have filed notice of intention to claim liens against the same property, it shall not be necessary for the plaintiff to answer the cross-bill of any other lien claimant, nor for the lien claimants to answer the plaintiff's bill or the cross-bill of any other lien claimant unless it is desired to create an issue as to the validity or amount of the lien sought to be enforced. Where no issue has been created between lien claimants as to validity or amount of any lien, such cases shall be ready for hearing when at issue between the lien claimants and the owners, part owners, or lessees of the property.

RULE 23

Answers at Law and in Equity

Section 1. The general issue is abolished, and answers shall be used wherever pleas have been employed in actions at law.

The common counts in assumpsit not being abolished, a general denial of the common counts shall be sufficient.

Section 2. Every answer shall contain an explicity admission or denial of each allegation in the declaration or bill of complaint as to which the defendant has knowledge or belief. But as to matters charged in the declaration or bill as to which the defendant avers he has no knowledge sufficient to form a belief, he shall not be required to admit or deny the same, but shall state his want of such knowledge. And every material allegation in the declaration or bill to which the defendant shall not make answer shall be taken as admitted by the defendant. In connection with every denial, the answer shall set forth the substance of the matters which will be relied upon to support such denial. When an unverified bill of particulars is filed with any of the common counts, the answer shall deal with the items therein set forth in the same manner as though they were alleged in the declaration.

Section 3. The facts constituting any affirmative defense, such as payment, release, satisfaction, discharge, license, fraud, duress, esoppel, statute of frauds, statute of limitations, illegality, that an instrument or transaction is either voil or voidable in point of law or cannot be recovered upon by reason of any statute or by reason of non-delivery, want or failure of consideration in whole or in part, and any defense which by other affirmative matter seeks to avoid the legal effect of or defeat the cause of action set forth in the plaintiff's declaration or bill of complaint, in whole or in part, and any ground of defense which, if not raised on the pleading, would be likely to take the opposite party by surprise, must be plainly set forth in the defendant's answer.

Section 4. In a suit upon a policy of insurance, if the defendant shall rely, in whole or in part, upon any breach of any of the conditions, agreements, representations or warranties of the policy or application therefor, or upon the failure to perform or make good any promise, representation or warranty, or upon the failure to furnish any proof of loss, as required by the policy, the facts showing the nature of the defense relied upon shall be alleged.

Section 5. In actions at law, each separate defense affirmatively pleaded, and each separate cause of action by way of recoupment or set-off shall be stated in a separate division of the answer, and each of such divisions shall be complete in itself and the divisions shall be numbered consecutively.

Section 6. Any statement of fact set forth in an answer shall be treated as an admission by the defendant and need not be proved by the plaintiff.

Section 7. Whenever in a cause a sworn bill of complaint is filed and a sworn answer demanded, the defendant shall be required to file such sworn answer. No sworn pleading, except as provided by statute, shall have the force of evidence except as to admissions and except on the hearing of motions and petitions.

Section 8. Pleas in equitable actions, other than pleas in abatement and to the jurisdiction (which are abolished by statute) are abolished, and all defenses which might formerly be raised by such pleas may be interposed by answer, provided that no cause shown by motion an issue so raised may be heard in advance of the trial in the cause.

Section 9. Where any defendant wishes to raise an issue as to the amount of damages only, he may plead as a defense a denial of the amount of damages claimed.

RULE 24

Replies

Section 1. New matter alleged in the answer filed in any action shall be answered by a reply in the same manner that allegations in the declaration or bill of complaint are required to be admitted or denied in the answer.

Section 2. If the plaintiff desires to meet any defense set up in an action at law by confessing and avoiding the same, the facts constituting such confession and avoidance shall be specifically pleaded in the reply.

Section 3. Whenever the pleading of the defendant contains a recoupment or set-off, the plaintiff shall file a reply in which he shall plead thereto in the same manner as though such recoupment or set-off were pleaded in a declaration.

RULE 25

Amended and Supplemental Pleadings

Upon the application of either party, the court or judge may, upon reasonable notice and such terms as are just, permit his to file and serve an amended or supplemental pleading. But an amended or supplemental pleading shall not be considered a waiver of any former pleading. And if the filing of such amended or supplemental pleading is during a term of court when the case is on docket for trial, the matter of continuance, and the costs thereon shall be in the discretion of the court.

RULE 26

Amendment of Pleadings Without Leave

Section 1. A plaintiff may at any time before answer is put in, or within fifteen days thereafter, amend his declaration or bill of complaint, and a defendant within fifteen days after his answer is put in, may amend the same; without leave of court and without costs.

Section 2. Under this rule new counts or new defenses, set-offs, recoupments, or cross-bills may be added to a declaration or answer.

Section 3. No rule to amend shall be required, but a copy of the amended pleading endorsed "Amended Declaration", "Bill of Complaint," or "Answer", as the case may be, shall be filed and served with a notice that the same is a copy of the pleading as amended. An answer on file shall stand as an answer to an amended declaration or bill of complaint unless amendment is made within ten days after service of the amended declaration or bill of complaint.

Rule 27

Time for Filing and Serving Pleadings, Appearances, Motions, etc.

Section 1. In actions where the declaration is not filed at the commencement thereof, a plaintiff must file his declaration within 15 days after the commencement of the action.

Section 2. Where the declaration or bill of complaint is not served with the writ, the defendant shall serve notice of his appearance or of retainer, and file a copy thereof with the clerk within 15 days after service of the writ in commencement of suit upon him. And in that case the plaintiff shall serve a copy of the declaration or bill of complaint upon the defendant's attorney within 15 days after receiving notice of appearance or of retainer.

Section 3. The defendant shall file his answer or cross-bill, as the case may be, and serve a copy thereof upon the plaintiff's attorney within 15 days after service of a copy of the declaration or of the bill of complaint upon him, except where motion to dismiss, or other special motion is made, and in such case said answer or cross-bill shall be filed within 15 days after final determination of said motion, in case the same is overruled.

Section 4. Replies to answer and answers to cross-bills shall be filed and a copy served on the opposite party within 15 days after the service of the copy of the answer or cross-bill.

Section 5. Where service of process against corporations is made upon the commissioner of insurance or secretary of state, the defendant shall not be required to appear or answer thereto until thirty days after the mailing of the copy of such process to such defendant by said commissioner of insurance or secretary of state.

Section 6. A motion attacking a pleading must be filed and served within 15 days after the receipt of the pleading attacked. All motions shall include all objections to the pleading attacked and to the proceedings up to that date in the case. And all objections to pleadings or proceedings not stated in the motion shall be deemed waived.

Section 7. Where one attorney appears for several parties, he shall only be entitled to one copy of any pleading served upon him by the opposite side.

Section 8. The circuit court or judge (or circuit court commissioner in the absence of the judge from the county or in case of his inability to act), for good cause shown on special motion after notice to the opposite party, may extend the time for putting in any pleading or the doing of any act which is required by the rules to be done within a limited time either before or after the expiration of the time.

RULE 28

Default of Either Party; Proceedings Thereon

Section 1. If either party shall make default in filing or serving any pleading or notice, with the time limited by statute or these rules, or the special order of the court in the case, the opposite party may file or enter the default in vacation or in term time. The default of either party being duly filed or entered, the other party shall not be bound afterward to accept the pleading or proceedings which was in default until such default shall be set aside by the court.

Section 2. If such default be taken by plaintiff for want of answer in an action at law, the order shall direct that the assessment of damages be made by the court or a jury at the discretion of the court, and when an answer is withdrawn, the case shall stand as on default.

Section 3. If the defendant has failed to appear or to answer in an equitable action, the plaintiff may file an order taking the bill of complaint as confessed.

Section 4. Any order entered under this rule may be set aside on special motion for cause shown, in the discretion of the court, on terms. In actions at law, the party desiring to have a default set aside shall, as soon as practicable after he shall know or have reason to believe that the default has been filed or entered, file and serve an affidavit of merits, and make application to the court to have the default set aside. In actions in equity, to entitle a defendant to an order setting aside his default for want of appearance or answer, he shall proffer a sworn answer showing a defense on the merits as to the whole or a part of the complainant's case. In all cases where personal service shall have been made upon a defendant, and proceedings taken after default on the strength thereof, his default shall not be set aside unless the application shall be made within four months after such default is regularly filed or entered. And in any case where personal service shall have been made upon a defendant, an order setting aside his default shall be conditioned upon his payment to the plaintiff of the taxable costs incurred in reliance on said default, and the court may impose such other conditions as shall be deemed proper.

RULE 29

Execution of Written Instrument Admitted If Not Denied on Oath

In an action upon any written instrument, under seal or without seal, the plaintiff shall not be put to the proof of the execution of the instrument or the handwriting of the defendant, unless the defendant or someone in his behalf shall file and serve a copy of an affidavit denying the same, and the rule shall apply on actions brought against indorsers as well as other parties, and shall also apply in favor of a defendant. Such affidavit shall be filed, when by the defendant, with the answer, and when by the plaintiff, within fifteen days after service of the specific set-off claimed; but the court may, upon proper showing, enlarge the time for filing such affidavit.

RULE 30

Summary Judgments

Section 1. At any time after any cause arising upon contract or judgment or statute shall be at issue, upon motion of the plaintiff, after the usual notice to the defendant, supported by the affidavit of the plaintiff, or anyone on his behalf having knowledge of the facts, verifying the plaintiff's cause of action, and stating the amount claimed and his belief that there is no defense to the action, the court shall enter a judgment in favor of the plaintiff, unless the defendant shall prior to, or at the time of hearing said motion, make and file an affidavit of merits. Said affidavit of merits shall state whether or not the defense claimed therein applies to the whole of the plaintiff's claim, and if not, it shall state definitely what item or items of the plaintiff's claim and the amount thereof, is admitted.

Section 2. If in any case it appear upon the trial thereof to the satisfaction of the court, that any affidavit of merits made therein for the purpose of preventing a summary judgment, was not made in good faith, but was made solely for the purpose of delay, the court shall award to the opposite party in the judgment rendered therein, a double motion fee.

Section 3. The affidavit verifying the plaintiff's cause of action shall be made on the personal knowledge of the affiant; shall set forth with particularity the facts upon which the plaintiff's cause of action is based; shall have attached thereto sworn or certified copies of all papers upon which plaintiff relies, except that it shall not be necessary at attach copies of papers where the same copies thereof are already on file in the court or cause or which are of public record in the county in which the suit is pending or of which copies are in possession of the opposite party and so stated in the affidavit to be, but it shall be sufficient to make due reference thereto and verify the authenticity and accuracy of such copies; shall not consist of conclusions but of such facts as would be admissible in evidence; and shall show affirmatively that the affiant, if sworn as a witness, can testify competently thereto. If all the facts to be shown are not within the personal knowledge of one person, then two or more affidavits may be used.

Section 4. An affidavit of merits to prevent the entry of a summary judgment under this rule shall be drawn in the same manner as the affidavit mentioned in Section 3, supra, and in addition shall set forth that all the facts pertaining to the action have been fully and fairly stated to the defendant's counsel, naming him, and that the defendant, upon such statement, has been advised by such counsel that he has a defense to the action or to some portion thereof upon the merits, or a set-off thereto.

Section 5. When it appears that there is no defense, set-off or other cross demand to a part of the plaintiff's claim, or that a part thereof is admitted, a final judgment for such part, in the discretion of the court, may be entered and shall be enforceable by execution, and the cause shall then stand trial as to the balance of the amount claimed.

Section 6. Should the affidavit of either party contain a statement that any of the material facts which ought to appear in such affidavit are known only to persans whose affidavits affiant is unable to procure, by reason of hostility or otherwise, naming such persons and showing why their affidavits cannot be procured, and what affiant believes they would testify to if sworn, with his reasons for such belief, the court may make such order as may be just, either granting or refusing the application for summary judgment, or making an order for a continuance to permit affidavits to be obtained, or for submitting interrogatories to or taking the depositions of any of the persons so named, or for producing papers or documents in the possession of such persons or furnishing sworn copies thereof. The interrogatories and sworn answers thereto, depositions so taken, and sworn copies of papers and documents so furnished, shall be considered as a part of the affidavit in support of plaintiff's claim or of the affidavit of merits, as the case may be.

Section 7. In any action at law, the defendant may, after issue is joined, move the court for entry of judgment in his favor upon a showing by affidavits or dispositions filed in the cause that there is no question of fact to be termined by the court or jury, and that he is entitled to a judgment in his favor. Before judgment is entered, the plaintiff shall be given a reasonable opportunity to obtain and file affidavits and depositions controverting the facts set forth in the affidavits or depositions filed by the defendant. Either party shall be given the further opportunity to cross examine witnesses whose affidavits have been filed or whose depositions have been taken without affording such opportunity of cross examination. Facts set forth in such affidavits or depositions, which it appears the witnesses could not testify to under the rules of evidence prescribed by law shall not be considered. If it appears to the court from such affidavits and depositions that the defendant is entitled to a judgment as a matter of law, without deciding any controverted issue of fact, the court shall enter such judgment, and the plaintiff may appeal therefrom. Both plaintiff and defendant are to have an equal right to a summary judgment, upon proper proofs.

Section 8. When a summary judgment is rendered the proceedings shall be deemed, for the purpose of taxing costs, to consist both of proceedings before trial and a special motion.

RULE 31

Depositions

Section 1. When a deposition has been taken by either party, it may at any time be read by the other party on the trial.

Objections to notices of, and objections to the manner of taking, certifying or returning depositions shall be noticed for hearing before the court, by motion to suppress or otherwise by the party making the same, within five days after such objections are made, and if not so noticed for hearing the same shall be considered waived.

Section 2. When due notice of taking a deposition is given, and the party giving such notice fails to appear, or, having taken such deposition, fails to file the same, all reasonable expenses actually incurred by the party receiving such notice by reason thereof shall be taxed by the court on motion, and the payment thereof shall be a condition precedent to such party proceeding with his cause of action or defense.

RULE 32

Court May Require Parties and Witnesses to Testify

In any suit, whether contested or not, the court may, at any time before verdict or decision, for the furtherance of justice, call upon any or all of the parties to such suit, or any witness therein, to testify orally in open court, and may continue or keep open the cause for that purpose, and may issue process to compel the appearance of such party or witness before the court.

RULE 33

Demand for Jury

Should any party to a civil cause desire trial by a jury, demand therefor, if made by the plaintiff, may be attached to or noted upon his declaration, and, if made by any defendant, may be attached to or noted upon his answer, or such demand may be made in writing and filed and served upon all of the other attorneys not later than 15 days after the cause is at issue; and any such demand thus made shall not be withdrawn unless consent thereto, in writing, signed by the attorneys for all the parties who have appeared in the case, be filed or such consent be expressed by such attorneys in open court. Demand for jury trials on appeals to courts of record shall be in accordance with the rules governing such appeals.

The circuit court, in its discretion, may order any civil case transferred from the non-jury to the jury calendar for trial.

RULE 34

Motion for Change of Venue

Motion for change of venue in any civil cause shall be filed and notice of hearing served within fifteen days after the cause shall be at issue, unless the moving party shall make it appear to the satisfaction of the court that the facts upon which the application is based have come to his knowledge after the time above limited, and within fifteen days previous to such deferred application, and that said party has been diligent in ascertaining the facts upon which said action is based.

RULE 35

Term Calendar—How Made Up

Previous to each term, the clerk of the circuit court shall prepare a calendar of causes for the term. The same shall be made up in the following order: 1. Criminal cases. 2. Jury civil cases. 3. Non-jury civil cases. 4. Chancery cases. 5. Causes in which no progress has been made for more than one year. The latter shall appear under no other heading.

Criminal cases shall have precedence. Civil jury cases shall have precedence over other civil cases. Non-jury and chancery cases shall have precedence in the order of the respective dates of joining issue, or, in appeal causes, the respective dates of filing the notice of appeal.

Providing, that in counties of this state having a population of 100,000 or more, the foregoing shall not apply, but it shall be the duty of the judges of such circuit courts, by court rules, to classify cases and to make regulations governing the calendar and the calling and setting of cases for trial, and the dismissal of cases in which no progress has been made for more than a year. Criminal cases shall always have precedence.

RULE 36

Motions for Continuance

Section 1. No motion for the continuance of a cause made after the first day in term shall be heard, unless a suffcent excuse is shown for the delay and on a second application by a party for the continuance of a cause, if based on inability to procure the attendance or testimony of a witness, the party so applying shall state, in addition to the usual requisites, the facts which he expects to prove by such witness, and shall also state with particularity the diligence he has used to procure his attendance. In case it is admitted by the opposite party in a civil cause that the witness named would, if placed on the stand, testify as stated in such affidavit, the motion for a continuance shall be denied, unless the court, for the furtherance of justice, shall deem a continuance necessary.

Section 2. When a continuance is granted upon payment of costs, such costs may be taxed summarily by the court, and on being taxed, shall be paid on demand of the party, his agent or attorney, and if not so paid, on affidavit of the fact, such continuance may be vacated.

RULE 37

Conduct of Trials—Special Questions and Special Verdicts

Section 1. The voir dire examination of jurors in all cases may be conducted by the trial judge, or he may, in his discretion, permit such examination by the attorneys for the respective parties. If made by the judge, counsel for any of the parties desiring that additional matters be inquired into shall request the judge to interrogate the juror relative thereto, which request, if the matter be deemed material, shall be granted.

Section 2. On the trial of a cause it shall be the duty of the plaintiff's counsel, before offering evidence to support the issue on his part, to make a full and fair statement of his case and of the facts which he expects to prove. After the evidence is closed on the part of the plaintiff, and before any evidence is offered on the part of the defense, a like statement shall be made by the counsel for the defendant, or at his election such statement may be made at the conclusion of the statement by the plaintiff's counsel.

Section 3. The plaintiff shall, in all cases except as stated below and except where otherwise ordered by the court, commerce the evidence. On the trial of issues of fact, one counsel only on each side shall examine and cross examine a witness, except by permission of the court in its discretion. No more than one hour shall be allowed to either side for the argument of a cause to the jury, unless the court shall otherwise order, but counsel upon either side shall be allowed at least one-half hour if it is desired. Provided, that any judicial circuit, which shall, for the expedition of its business, provide by local rule for the speedy disposition of short causes, the time herein provided for argument may be left entirely to the discretion of the trial judge, when the case is being tried by virtue of the provisions of said local rule.

Section 4. Whenever testimony, given on a former trial of the same cause or in other proceeding, is admissible in evidence, a transcript of such testimony, certified by the court stenographer who took the same, shall be deemed prima facie evidence thereof.

Section 5. Whenever, in an action, the defendant, by his answer, admits the facts alleged in the plaintiff's declaration, but attempts to defeat the plaintiff's recovery by set-offs or by recoupment, or by affirmative defense which, if true, defeats plaintiff's recovery, such defendant shall have the opening and closing in the taking of testimony and in the argument on the trial of the cause.

Section 6. When special questions are to be submitted to a jury, to be answered if they return a general verdict, such questions shall be prepared by the party requesting their submission, and presented at the conclusion of the testimony to the court and counsel for the opposite party, and before the beginning of the argument the court shall indicate what special questions shall be submitted to the jury.

Section 7. In any civil case, the court in its discretion may at any time, on its own motion or on request of either party, direct the jury to find a special verdict, and in such case no general verdict shall be returned. Such verdict shall be prepared by the court in the form of questions in writing, relating only to material issues of fact and admitting a direct answer, to which the jury shall make answer in writing. Instructions to the jury shall be limited to such matters as are material to the questions submitted. Whenever any special verdict shall be submitted to a jury and there is omitted therefrom some controverted matter of fact not brought to the attention of the trial court by request for submission, but essential to sustain the judgment, such matter of fact shall be deemed determined by the court in conformity with its judgment, and the neglect or omission to request a finding by the jury on such a matter shall be deemed a waiver of a jury trial protanto and a consent that such omitted fact be determined by the court. The finding or determination of such omitted fact by the court may be reviewed on appeal without any exception thereto.

Section 8. In an action at law, tried by jury, wherein either party has requested the court for a directed verdict in his favor and the court has reserved decision thereon, submitting the case to the jury and recording its verdict as rendered under the provisions of Comp. Laws, 1929, Section 14531, et seq., or any amendment thereto or other similar law, further proceedings may be stayed in the discretion of the court, and arguments of counsel for and against said request shall be heard at such time and on such notice as the court shall direct. But in such case the court shall render its decision, granting or denying such request, enter the same on the record and order judgment in accordance with such decision before conclusion of the next ensuing term after such verdict was rendered. No judgment shall be entered until such decision shall have been made.

Section 9. The court shall instruct the jury as to the law applicable to the case whenever a verdict is to be rendered, and in his charge may make such comment on the evidence, the testimony and the character of the witnesses as in his opinion the interests of justice may require. The failure of the court to instruct on any point of law shall not be ground for setting aside the verdict of the jury unless such instruction is requested.

Section 10. It shall not be necessary to call any party to the suit when the jury return into court to deliver their verdict.

Section 11. When an action at law is tried by the court without a jury:—

(a) The provisions of Sections 14159 of the Compiled Laws of 1929, or amendments thereto or other similar law, relating to the taking of testimony in equity cases, shall be applicable.

(b No special findings shall be required, but is shall be sufficient for the trial judge to find generally for or against the several parties.

(c) The trial judge shall sign and file, or dictate to the stenographer, an opinion in which he shall set forth his decision and the substance of the judgment with a concise statement of his reasons therefor, and where he awards damages, the manner in which he has determined the amount.

(d) No exceptions need be taken to any finding, decision or judgment.

Section 12. Where separate and distinct causes of action are joined in actions at law, the court may, at the request of counsel for either party, direct the jury to bring in separate verdicts upon the several counts, and may, under like circumstances, where a jury has been waived, find separately upon the several counts; and upon each of such verdicts or findings separate judgments shall be entered.

Section 13. No proofs shall be taken in the trial of a cause unless there has been deposited with the clerk of the court the amount of the lawful stenographer, jury and judgment fee. In case it shall subsequently appear inappropriate to enter a judgment in the cause, such judgment fee shall, under the direction of the judge, be returned to the attorney so depositing it.

RULE 38

Discontinuance—Several Defendants

Section 1. The plaintiff may, at any time, upon notice to the defendant or his attorney, and on the payment of costs, discontinue his suit by order filed in the cause, except where a recoupment or a set-off is asserted by the defendant.

Section 2. When the action is brought against several persons the plaintiff shall at any time before the final submission of the case be allowed to discontinue action against any of the defendants upon the payment of the taxable costs, of the party or parties as to whom the case is discontinued, and such other terms as the court shall direct, and the declaration shall thereupon be deemed to be amended, and the case shall proceed against the other defendants in like manner as if the action had been originally brought against them alone.

Section 3. But in case an action is brought against two or more defendants, the plaintiff shall not be required to discontinue as to any of them, but the jury shall show by their verdict, or the court by its finding in a trial by the court without a jury, which of them are and which of them are not liable to the plaintiff, and judgment shall be given accordingly.

RULE 39

Costs in Case of Tender or Payment After Suit is Commenced

If a tender or payment into court is made after suit brought, such tender or payment shall include such fee to the plaintiff as is provided for the defendant in case of nonsuit or discontinuance at that stage of the cause; and upon a discontinuance by reason of tender of payment after suit brought, the defendant shall not be entitled to costs.

RULE 40

Production of Books and Papers

Section 1. Application may be made by petition to any court of record in term time, or to the judge thereof in vacation, to compel the production and discovery of books, papers and documents relating to the merits of any action or suit pending in such court, or of any defense to such action or suit, in the following cases:

(a) By the plaintiff, to compel the discovery of papers or documents in the possession of or under the control of the defendant, which may be necessary to enable the plaintiff to declare or annswer to any pleading of the defendant.

(b) The plaintiff may be compelled to make the discovery of papers or documents, where the same shall be necessary to enable the defendant to answer any pleading of the plaintiff.

(c) The plaintiff may be compelled, after declaring, and the defendant, after pleading, to produce and discover all papers or documents on which the action or defense is founded.

(d) After issue joined in any action, either party may be compelled to produce and discover all such books, papers and documents, as may be necessary to enable the party applying for such discovery to prepare for the trial of the cause.

Section 2. The petition for such discovery shall state the facts and circumstances on which the same is claimed, and shall be verified by affidavit, stating that the books, papers and documents whereof discovery is sought are not in the possession or under the control of the party applying therefor, and that the party making such affidavit is advised by his counsel and verily believes, that the discovery of the books, papers or documents, mentioned in such petition, is necessary to enable him to declare, or answer, or to prepare for trial, as the case may be. Notice of the hearing of such petition shall be given as provided in Rules 8, 9 and 10.

Section 3. The rule granting the discovery shall specify the mode in which the same is to be made, which may be either by requiring the party to deliver sworn copies of matters to be discovered, or by requiring him to produce and deposit the same with the clerk of the court in which the trial is to be had. The order shall also specify the time within which the discovery should be made.

Section 4. The court, or presiding judge thereof, in granting such order, shall be governed by the principles and practice of the court of chancery in compelling discovery, except that the costs of such proceedings shall always be awarded in the discretion of the court.

Section 5. Every such order may be vacated by the court, or the judge granting the same:

(a) Upon satisfactory evidence that it should not have been granted.

(b) Upon the discovery sought being obtained.

(c) Upon the party requiring to make discovery denying on oath the possession or control of the books, papers or documents ordered so to be produced.

Section 6. When an order directing the discovery of books, papers or documents, has been made, the court may, in its discretion and on terms, order a stay of proceedings. until such order for discovery shall have been complied with or vacated; and the party obtaining such order, after the same shall have been complied with or vacated; shall have the like time to declare, plead or answer, to which he was entitled at the time of making the order.

Section 7. In case of the party refusing or neglecting to obey such order for a discovery, within such time as the court shall deem reasonable, the court may nonsuit him, or may strike out any plea or notice he may have given, or may debar him from any particular defense in relation to which such discovery was sought; and the power of the court to compel such discovery shall be confined to the remedies herein provided, and shall not extend to authorize any other proceedings against the person or property of the party so refusing or neglecting.

Section 8. The books, papers and documents, or sworn copies thereof, prodced under any order made in pursuance of the preceding rules, shall have the same effect, when used by the party requiring them, as if produced upon notice according to the practice of the court.

RULE 41

Discovery by Deposition and Examination As to Injuries

Section 1. On application, notice and hearing, any court of record may, in its discretion, in any civil action therein pending at any time before trial, authorize and order the taking of the deposition of the opposite party or parties, its or their officers and agents, or of any person who for such opposite party has verified a pleading or an affidavit attached thereto; also of the plaintiff's assignor, if any, from or through whom plaintiff became possessed of his rights in the subject-matter of the suit. The scope of such deposition, the time, the place, the person before whom the same is to be taken and the manner of taking the deposition may be fixed in such order; and the court may require the party who proposes to take such deposition or its or his agent also to appear and submit to examination at the taking of such deposition.

Section 2. In any action for damages for injuries to person or property, or to recover upon any policy of insurance respecting sickness or bodily injuries or damages or injuries to property, physical examination by physicians of the person sick or injured, or by the defendant or his agent of the property damaged or injured, may be ordered in advance of the trial, on motion with due notice upon such just and reasonable terms and conditions as the court may prescribe.

RULE 42

Admissions From Adverse Party

Section 1. Either party may exhibit to the other or to his attorney at any time before the trial, any paper material to the action, and request an admission in writing of its genuineness. If the adverse party or his attorney fail to give the admission within four days after the request, and the delivery to him of a copy thereof, if such copy be required, and if the party exhibiting the paper be afterward required to prove its genuineness, and the same be finally proved or admitted on the trial, the expense of proving the same, including a reasonable counsel fee for the time and attention devoted thereto, to be ascertained and summarily taxed at or after the trial, shall be paid by the party refusing the admission, unless it shall appear to the satisfaction of the court that there were good reasons for the refusal, and an attachment or execution may be granted to enforce payment of such expense.

Section 2. Any party, by notice in writing, given not later than ten days before the trial, may call on any other party to admit, for the purposes of the cause, matter or issue only, any specific fact or facts mentioned in such notice. In case of refusal or neglect to admit the same within four days after service of such notice, or within such further time as may be allowed by the court or a judge. the expenses incurred in proving such fact or facts, including a reasonable counsel fee for the time and attention devoted thereto, must be ascertained at the trial and paid by the party so neglecting or refusing, whatever the result of the cause, matter or issue may be, unless at the trial or hearing the court or a judge certify that the refusal to admit was resonable, or unless the court or a judge, at any time, shall order or direct otherwise. Any admission made in pursuance of such notice is to be deemed to be made only for the purposes of the particular cause, matter or issue, and not as an admission to be used against the party on any other occasion or in favor of any person other than the party giving the notice. The court or a judge, at any time, may allow any party to amend or withdraw any admission so made on such terms as may be just.

Section 3. When any public records are to be used as evidence, the party intending to so use them may prepare a copy, synopsis or abstract of them in so far as they are to be used, and may seasonably present such copy, synopsis or abstract to the adverse party by notice in writing, together with certified copies of the original record, and such copy, synopsis or abstract shall thereupon be admissible in evidence as admitted facts in the case if otherwise admissible, except in so far as its inaccuracy shall be pointed out under oath by the adverse party in an affidavit filed and served within ten days after service of such notice and certified copies, and not less than four days before the case shall be called for trial, or within such further time as may be allowed by the court.

RULE 43

Jurisdiction and Procedure in Mandamus, Certiorari, Prohibition and Quo Warrento Proceedings

Section 1. Circuit courts shall have jurisdiction, within their respective counties, in all mandamus or prohibition proceedings, involving the action or non-action of any officer or board of any county, township, city, village, or school district, or of the common council of any city or village, and the action or nonaction of any private corporation or officer or board thereof. Said circuit courts shall also have jurisdiction to issue writs of certiorari in all cases where they may now be issued by the Supreme Court to probate courts, circuit court commissioners, and justices of the peace, or any corporate body or board of officers thereof. Writs of certiorari and orders to show cause in cases of mandamus and prohibition shall be made returnable, and service thereof made within such time as the circuit courts shall, upon each occasion, direct.

Section 2. All orders to show cause in mandamus proceedings may be made by the court, or in vacation by the judge of the court; and writs of certiorari may be allowed by the court or judge thereof, in cases provided by this rule.

Section 3. All material allegations of the petition in mandamus proceedings not specifically answered by the respondent may be taken as admitted by the respondent to be true as alleged.

Section 4. Certiorari proceedings shall stand for hearing upon the return day of the writ unless the court for cause shown shall order a postponement of such hearing, and the same rule shall apply in mandamus cases where no answer is filed to the return; but where such answer is filed the issue of the fact thus joined shall be determined as in other cases.

Section 5. Quo warranto cases, upon being placed upon the calendar for trial, shall be given precedence over all other civil cases.

Section 6. In all cases governed by this rule, an answer shall be used where a plea was formerly used, and a reply shall be used where a replication was formerly used.

RULE 44

Proceedings Before Commissioners

Section 1. All parties accounting before a commissioner shall bring in their accounts in the form of debtor and creditor; and any of the other parties who shall not be satisfied with the accounts so brought in shall be at liberty to examine the accounting party as the commissioner may direct. On any reference to take or state an account, the commissioner shall be at liberty to allow interest as shall be just and equitable, without any special direction for that purpose, unless a contrary direction is contained in the order of reference. And every charge, discharge, or state of facts brought in before a commissioner shall be verified by oath as true, either positively or upon information and belief.

Section 2. It shall be the duty of every such circuit court commissioner to procure and keep in his office a register, which shall be delivered over to his successor in office, in which he shall enter the title of each cause or proceeding in which he shall make any order, and a complete memorandum of his doings therein. And every commissioner shall file with the clerk of the court all orders made by him, together with all papers on which the same are based, immediately, upon the making of such order.

RULE 45

Reports of Commissioners

Section 1. In all matters referred to a commissioner, he shall be at liberty, upon the application of any party interested, to make a separate report or reports, from time to time, as he shall deem expedient; the costs of such separate reports to be in the discretion of the court. And where the commissioner shall make a separate report of debts or legacies, he shall be at liberty to make such certificate as he thinks fit, with respect to the state of assets; and any person interested shall thereupon be at liberty to apply to the court as he shall be advised.

Section 2. After the report is filed either party may file an order of course to confirm the same, unless cause to the contrary thereof be shown in eight days after notice of its being filed; and if no exceptions are filed and served within that time, the order shall become absolute of course, without further order; or either party may file exceptions, and have an order of course to confirm the report, so far as the same is not excepted to, and with the like effect.

Section 3. If either party files exceptions to a commissioner's report, such exceptions shall be determined by the court on motion of either party, and the costs thereon shall be in the discretion of the court.

RULE 46

Restriction of Powers of Commissioners

The general powers conferred upon commissioners are hereby restricted in the following particulars:

Section 1. No circuit court commissioner shall be empowered to vacate any order or decree of the circuit court, or any order made by a circuit judge.

Section 2. Nor shall he grant any injunction to stay proceedings at law unless reasonable notice of the time and place of hearing the application thereof shall have been previously given to the adverse party.

Section 3. Nor shall be grant injunction without such notice in any case, unless the judge of the circuit court in which the application is made shall be absent from the county at the time of such application, or is disqualified from granting an injunction in the cause, nor unless, in the opinion of such commissioner, the peculiar exigencies of the case require it for manifest reasons to be shown by affidavit of the facts and circumstances.

Section 4. Nor shall he grant any injunction restraining the execution or performance of any public improvement, nor to compel a defendant to refrain from doing any act where the injunction will necessarily produce great and irreparable injury to the defendant, if the claim of the claimant is not sustained. Nor shall he grant any injunction in any case where no special provision is made by law for security, except where the injunction prayed for is against a judgment debtor who is made defendant in a creditor's bill, unless the officer granting the same shall take from the plaintiff or his agent a bond to the party enjoined, in such sum as shall be deemed sufficient, and in not less than $500, with sufficient surety or sureties, to be approved by the officer allowing the injunction, conditioned to pay the party enjoined such damages as he may sustain by reason of the injunction, if the court shall eventually decide that the plaintiff was not equitably entitled to such injunction, such damages to be ascertained by a reference to a circuit court commissioner, or by the court having jurisdiction of the cause in which the injunction issued, as such court shall direct. Such officer allowing the injunction shall before the clerk shall issue the writ, file such bond with such clerk, who shall carefully preserve the same for the benefit of the obligee therein named.

RULE 47

Motions for New Trials

Section 1. Motions for a new trial and motions in arrest of judgment, with the reasons on which they are founded, shall be filed and a copy thereof be served on the opposite party as follows: the former within twenty days after the entry of judgment, and the latter within twenty days after the rendition of a verdict, in the case of a trial by jury, and within a like time after the decision of the court, when the cause has been tried by the court, or, in either case, within such further time as shall be allowed therefor by the court or judge. Such motions may be brought on for hearing by either party before the court, and the decision on such motion may be made by the judge and entered in vacation or in term. It shall be the duty of the clerk to notify the attorneys for both parties that such decision has been made, immediately thereafter.

Section 2. Partial new trials, limited to one or some of the issues or matters tried, may be ordered by trial courts or by the supreme court in proper cases.

Section 3. In denying a motion for a new trial, the judge shall sign and file, or dictate to the stenographer, a concise statement of his reasons therefor. No exceptions need be taken to the denial of such motion.

RULE 48

Rehearings—Enrollment of Decrees

Section 1. On proper cause shown, a rehearing of an equitable action may be had. No application for such rehearing shall be heard unless filed within two months from the entry of the final decree, except where application is made on the ground of newly discovered evidence, in which case the application must be filed within four months.

Section 2. The special matter or cause on which such new hearing is applied for, and the particular points in which the decree or order is alleged to be erroneous, shall be fully set forth in the motion, and the facts stated in the motion, if they do not appear from the records of the court, shall be verified by affidavit of the party or some other person.

Section 3. Clerical mistakes in a decree, or decretal order, or errors arising from any accidental slip or omission, may at any time within three months after the final decree is entered be corrected by order of the court or a judge thereof upon petition, without the form or expense of a rehearing.

Section 4. This rule takes the place of the rules heretofore in force providing for rehearing and for bills of review, and such proceedings are abolished.

Section 5. If a rehearing is granted, the petitioner shall lose the benefit thereof, unless he shall within ten days thereafter deposit with the clerk fifty dollars, or such additional reasonable sum as the court may thereafter order, to answer the costs and damages of the adverse party, if the decree or order shall not be materially varied.

Section 6. Decrees shall be enrolled as provided for in Section 14520, 3 Comp. Laws 1929, and any amendment thereto, but such enrollment shall in no way affect the right to apply for a rehearing as provided for in Section 1 of this rule.

If the decree authorizes the sale of real estate, notice of such sale may be given in advance of such enrollment, but no conveyance shall be executed by a commissioner or other officer on such sale until such enrollment is had.

RULE 49

Parties—Change by Reason of Change of Interest or Liability

Where by reason of marriage, death, bankruptcy, assignment, or any other event occurring after the commencement of a cause or proceeding, either before or after judgment and in the trial or appellate court, causing a change or transmission of interest or liability, or by reason of any person interested coming into existence after such commencement, it becomes necessary or desirable that any person not already a party should be made a party, or that any person already a party should be made a party in another capacity, an order may be made that the husband or wife, heir, personal representative, trustee, assignee, or other successor in interest, if any, be made a party in substitution for or in addition to any other party, and that the cause or proceeding be carried on with the continuing parties and such new parties, with or without a change in the title of the cause, on motion of anyone interested supported by affidavits, and such reasonable notice of the order to any new parties to be brought in as the court or tribunal may designate in such order.

RULE 50

Foreclosure Cases

Section 1. In a bill for foreclosure or satisfaction of a mortgage, it shall not be necessary to set out at large the rights and interests of the several defendants who are purchasers of, or who have liens on, the equity of redemption in the mortgaged premises, subsequent to the registry or recording of mortgage, and who claim no right in opposition thereto; but it shall be sufficient for the plaintiff, after setting out his own right and interest in the premises, to state generally that such defendants have or claim some interest in the premises, as subsequent purchasers or encumbrancers or otherwise.

Section 2. If a bill to foreclose a mortgage is taken as confessed, or the right of the plaintiff, as stated in his bill, is admitted by the answer, he may have an order of course, referring it to a commissioner to compute the amount due to the plaintiff, and to such of the defendants as are prior encumbrancers of the mortgaged premises.

Section 3. If the defendant is an infant, and has put in a general answer by his guardian, or any of the defendants are absentees and have not been personally served, the plaintiff may have a similar order of course, referring it to a commissioner to take proof of the facts and circumstances stated in the plaintiff's bill, and to compute the amount due on the mortgage, preparatory to the hearing of the cause.

Section 4. If the bill has been taken as confessed, the plaintiff shall show to the court, at the hearing, by affidavit, that the proceedings to take the bill as confessed have been regular, according to the rules and practice of the court, and whether the bill has been taken as confessed against all of the defendants upon service of summons, or after an appearance, or whether some of them have been proceeded against as absentees.

Section 5. Sales under decrees of foreclosure shall not be ordered on less than six full weeks or forty-two days' notice, and publication shall not commence until the time fixed by decree for payment has expired, nor within six months after commencement of suit.

Section 6. On the coming in and confirmation of the commissioner's report of the sale of mortgaged premises, if it shall appear that there is any surplus money remaining in court after satisfying the amount due the plantiff, any defendant, upon filing an affidavit that such surplus had been paid into court, and that he is entitled to the same, or some part thereof, may have an order of course, referring it to a commissioner to ascertain and report the amount due to such defendant, or to any other person. and which is a lien upon such surplus moneys; and to ascertain the priorities of the several liens thereon, to the end that on the coming in and confirmation of the report, such further order and decree may be made for the distribution of surplus moneys as may be just; and every defendant who has appeared in the cause, and every person who has left a written notice of his claim to such surplus moneys with the clerk, with whom the same are deposited, shall be entitled to notice to attend the commissioner on such reference. And any person making a claim to such surplus moneys, and who shall fail to establish his claim on the hearing before the commissioner, may be charger with such costs as the other parties have been subjected to by reason of such claim and the parties succeeding on such reference may be allowed such costs as by the court may be deemed reasonable; but no costs unnecessarily incurred on such reference, or previous thereto, by any of the parties, shall be allowed on taxation or paid out of such surplus.

RULE 51

Divorce Cases

Section 1. All bills for the purpose of obtaining divorce, whether the husband or wife is plaintiff, shall be duly verified by oath, in the usual manner of verifying bills. In a bill for divorce on the ground of adultery, the plaintiff must positively aver that he has not voluntarily cohabitated with the defendant since the discovery of such adultery. And in all bills for divorce upon any ground, the plaintiff shall also positively aver that the act done or cause charged in the bill for which divorce is sought was committed without the consent, connivance, privity or procurement of the plaintiff, and that such bill is not founded on or exhibited in consequence of any collusion, agreement or understanding whatever between the parties thereto, or between the plaintiff and any other person.

Section 2. If such bill is taken as confessed, the plaintiff shall show to the court by affidavit whether or not the defendant was personally served with process or order of appearance, and that the proceedings to take the bill as confessed have been regular according to the rules and practice of the court.

Section 3. No sentence or decree of nullity, declaring void a marriage contract, or decree for divorce, or for a separate or limited divorce, shall be made of course by the default of the defendant; or in consequence of any neglect to appear at the hearing of the cause, or by consent. And every such cause shall be heard in open court.

Section 4. No proofs in proconfesso cases shall be taken unless there has been deposited with the clerk of the court the amount of the lawful decree fee, and unless there has been tendered to the judge presiding at the hearing the proposed decree in the cause. In case it shall subsequently appear inappropriate to have such decree, or any other decree, entered in the cause, such decree fee shall, under the direction of such judge, be returned to the attorney so depositing it. In case such proposed decree shall subsequently appear inappropriate, a modified proposed decree in accordance with the opinion of the court shall be presented within ten days.

RULE 52

Creditor's Bills

Section 1. A creditor's bill, to reach equitable interests of a debtor, shall show the true sum actually and equitably due the plaintiff on his judgment or decree, over and above all just claims of the debtor by way of set-off or otherwise, and that the debtor has equitable interests, exceeding one hundred dollars in value, which the plaintiff is unable to reach by execution, which has been duly issued and returned unsatisfied, and that the bill is not exhibited by collusion with the defendant, or for the purpose of protecting the property or effects of the debtor against the claims of other creditors, but for the sole purpose of compelling payment and satisfaction of the plaintiff's own debt.

Section 2. When the plaintiff in such creditor's bill shall have a right to a discovery and disclosure of facts from the defendant, the defendant shall in his answer fully and explicitly set forth the particular facts called for. If he fail to do so, the plaintiff may have his right to a further answer and disclosure determined by the court on special motion, and the court may enforce its order thereon by the attachment of the defendant, and may strike such insufficient answers from the files.

Section 3. Every such creditor's bill shall be verified as provided by rule.

Section 4. The proceedings in such a suit shall, except as otherwise specifically provided by rule or statute, be governed by the general chancery rules, and the court may appoint a receiver therein pending the determination of the suit, when it shall be deemed necessary for the protection of the rights of the plaintiff.

RULE 53

Receivers—Powers and Duties

Section 1. Every receiver of the property and effects of the debtor, appointed in a suit upon a creditor's bill, shall, unless restricted by the special order of the court, have general power and authority to sue for and collect all the debts, demands and rents belonging to such debtor, and to compromise and settle such as are unsafe and of a doubtful character. He may also use in the name of a debtor, where it is necessary or proper for him to do so, and he may apply for and obtain an order of course that the tenants of any real estate belonging to the debtor, or of which he is entitled to the rents and profits, attorn to such receiver and pay their rents to him. He shall also be permitted to make leases from time to time as may be necessary, for terms not exceeding one year. And it shall be his duty, without unreasonable delay, to convert all the personal estate and effects into money; but he shall not sell any real estate of the debtor without the special order of the court. He is not to be allowed for the costs of any suit brought by him against an insolvent from whom he is unable to collect his costs, unless such suit is brought by order of the court, or by the consent of all persons interested in the funds in his hands. But he may sell such desperate debts, and all other doubtful claims to personal property, at public auction, giving at least ten days' notice of the time and place of such sale.

Section 2. Where several bills are filed by different creditors against the same debtor, no more than one receiver of his property and effects shall be appointed, unless the first appointment has been obtained by fraud or collusion, or unless the receiver is an improper person to execute the trust. The receiver shall give security sufficient to cover the whole property and effects of the debtor which may come into his hands by virtue of his office; and he shall hold such property and effects for the benefit of all creditors who have commenced, or shall commence, similar suits; during the continuance of his trust, to be disposed of according to their legal or equitable priorities. He shall not pay over the funds in his hands to the parties, or to any other person, without being specially authorized to do so by an order or decree of the court; not shall he be discharged from his trust without special order, to be obtained upon a written consent of all the parties interested in the property in his hands, or upon notice of the application.

Section 3. When another suit is commenced after the appointment of a receiver the same person may be appointed receiver of such subsequent suit, and shall give such further security as the court shall direct. He shall keep a separate account of any property or effects of the debtor which may have been acquired since the commencement of the first suit, or which may be assigned to such receiver under the appointment in the last cause.

RULE 54

Security by Guardian ad Litem

No guardian ad litem for an infant, insane or otherwise mentally incompetent defendant, or next friend of an infant plaintiff, unless he has given security to such infant, insane or otherwise mentally incompetent person according to law, shall as such guardian, or next friend, receive any money or property belonging to such infant, insane or otherwise mentally incompetent person, or which may be awarded to him in the suit, except such costs and expenses as may be allowed by the court to the guardian or next friend, out of the fund, or received by the infant, insane or otherwise mentally incompetent person in the suit. Neither shall the general guardian of an infant, insane or otherwise mentally incompetent person, receive any part of the proceeds of the sale of real property belonging to such infant, insane or otherwise mentally incompetent person, sold under a decree or order of the court, or any money or property awarded him in any suit or proceeding, until such guardian has given such further security for the faithful discharge of his trust as the court may direct.

RULE 55

All Cases Reviewable by Claim of Appeal

In all cases in which review by the Supreme Court is provided by law, and notwithstanding the writ or remedy of review employed by common law or named in statute, review may be had by appeal under these rules. This rule refers only to the method of review and does not restrict, enlarge or change the right or scope of review provided by law except as is explicitly set out in these rules.

RULE 56

Manner and Effect of Perfecting Appeals to the Supreme Court

Section 1. (a) Every appeal to the Supreme Court shall be deemed perfected on filing a claim of appeal with the court, tribunal or officer whose action is to be reviewed.

(b) When the appeal is so perfected, the Supreme Court shall have jurisdiction of the case.

(c) No appeal, so perfected, shall be dismissed except on stipulation, on special motion and notice, or by the Supreme Court on its own motion.

Section 2. (a) Until the record provided for by Rules 65 and 66 shall be filed in the Supreme Court, the trial court, tribunal or officer has jurisdiction and discretion to grant further time to do, properly perform or correct any act in connection with the appeal, omitted or insufficiently done, except to extend time for filing claim of appeal, to dismiss the appeal, or to allow a delayed appeal; provided that on stipulation of all parties the circuit court may dismiss an appeal.

(b) When appeal is taken while property is being held for conservation or management under order or decree of the trial court, such court shall retain jurisdiction over such property, pending appeal, except as the Supreme Court shall otherwise order.

(c) All orders of the trial court made prior to decree, in relation to the custody, control and management of property, for temporary alimony, support of minor children and expenses in divorce suits, and temporary injunctions, shall remain in effect and be enforcible in the trial court, pending appeal, except as otherwise may be ordered by the trial court or Supreme Court.

(d) The clerk of the trial court shall keep a separate book in which every appeal to the Supreme Court shall be entered as soon as perfected.

RULE 57

Time for Perfecting Appeal to the Supreme Court

Section 1. An appeal to the Supreme Court, as of right, shall be perfected within twenty days after entry of the judgment, decree or order appealed from, or within twenty days after the entry of an order denying a motion for new trial or reheaing, povided such motion is made within twenty days after entry of the judgment, decree or order appealed from. The time herein provided is jurisdictional in appeals as of right.

Section 2. When an appeal is taken upon leave granted, it shall be perfected, by filing claim of appeal, within twenty days after notice of entry of order allowing appeal has been mailed by the clerk of the Supreme Court to counsel.

Section 3. The Supreme Court may, in its discretion, within such further time as may be permitted by law, grant leave to appeal, upon showing, supported by affidavit, that there is merit in the claim for appeal and that the delay was not due to appellant's culpable negligence.

RULE 58

Bonds, Fees, Service of Claim of Appeal and Other Conditions Precedent in Appeals to the Supreme Court

Section 1. Within the time limited for perfecting an appeal, the appellant, in addition to filing claim of appeal, shall:

(a) File with the clerk of the trial court or tribunal, or with the judge or presiding officer thereof, if there be no clerk, any bond required by law as a condition of appeal.

(b) Pay the fee required by law for taking appeal.

(c) Make any delivery or deposit of money, property or documents and do any other act required by law.

(d) Serve copy of the claim of appeal (with statement that the required bond, naming the amount and sureties, has been filed, the fee paid and deposit made, if any, with the items thereof, and date of performance of these acts), upon all other non-defaulted parties to the cause or their attorneys of record in the court or tribunal from which appeal is taken, and upon any other person or officer entitled by rule or statute to notice of the appeal, and file proof of such service in such court or tribunal.

Such service may be made upon any party, attorney or officer in the manner provided for service of papers on attorneys and if service cannot be so made, it shall be made within such time and in such manner as may be ordered by the court or tribunal appealed from. If service is by mail, it shall be deemed sufficient in time if properly deposited in the mail within the prescribed period.

Section 2. For failure to properly and timely perform any act required on appeal by any rule, the appeal may be dismissed on motion by the Supreme Court or further time granted on terms. No act on appeal shall be deemed insufficient unless motion to dismiss the appeal or to strike or correct the act be made within fifteen days after service of notice of performance of such act. No performance of an act on appeal after the time provided shall be deemed valid unless further time therefor has been granted by the trial court, tribunal or Supreme Court in advance of such performance. No motion for further time shall be heard in the trial court or tribunal while a motion to dismiss is pending in the Supreme Court.

RULE 59

Form and Contents of Claim of Appeal to the Supreme Court

The claim of appeal shall be entitled in the Supreme Court and the cause, naming and designating the parties, in the same order as in the original proceedings, and adding to each the proper designation as appellant or appellee. It shall be in substantially the following form:

"..

(Plaintiff or defendant) claims an appeal from the .... (judgment, decree, order, etc.) entered.......... (date) by the ....(naming the court, tribunal or officer from which the appeal is taken). Appellant takes ....(General appeal or appeal in the nature of mandamus, certiorari, prohibition, etc., as the case may be.)"

It shall be dated and signed by the appellant or his attorney and the business address shall be plainly written under such signature.

RULE 60

Leave to Appeal to the Supreme Court

Section 1. Leave to appeal to the Supreme Court shall be required only in the following cases:

(a) Where such leave is expressly required by statute or rule;

(b) Where the remedy of review, under statute, or, in the absence of statute, under common law, is by certiorari, mandamus or other discretionary writ, or case made;

(c) Where a delayed appeal is sought;

(d) Where, in an action at law submitted on the facts to court or jury, a judgment is rendered for the defendant, unless the trial judge shall certify that the controversy actually involves more than $500.

Section 2. To obtain leave to appeal to the Supreme Court from a court of record, appellant shall within the time limited for perfecting an appeal as of right (except when delayed appeal is sought);

(a) Prepare an application for leave to appeal, setting forth the reasons and grounds of appeal and attach to it a concise statement of the proceedings and facts as far as they are material. In all cases where error is alleged in the charge of the court, the whole of the charge shall be set up in the statement. It shall also contain the date of entry and a copy of the judgment, decree or order appealed from, and the opinion of the court, if one has been filed.

The application shall further state whether general appeal or appeal in the nature of mandamus, certiorari, prohibition, etc., is sought.

In criminal cases the application shall also state (1) the sentence imposed, and (2) if defendant desires bail pending appeal, the amount of bail set by the trial court pending application for leave to appeal, if any was set.

(b) Serve copy of the application and concise statement on all other parties, whether joint or adverse, with notice of prompt settlement of the statement before the trial judge or any other judge having jurisdiction to settle a bill of exceptions in the case.

(c) Objections to the concise statement shall be settled by the judge and, when satisfied, he shall certify that it fairly presents the questions for review.

A transcript of the testimony shall not be required as a basis for the settlement. The judge settling such statement may correct it or add matters of record which he may deem necessary to properly present the issue. When a discretionary action of the court is to be reviewed, the judge may add to the statement his reasons for such action. In case appellant shall object to corrections or additions made to the statement by the judge, he may further present, with his application, true copies of pleadings and exhibits and a transcript of the relevant testimony relating to the question for review.

(d) Promptly after the statement is settled and certified, appellant shall file the application and certified statement with the Clerk of the Supreme Court and notice it for hearing as a motion.

(e) With service of notice of hearing, appellant shall serve on all other parties a typewritten or printed brief in support of such application and make proof of service thereof. Any party may file brief in opposition to the application.

Section 3. (a) In cases where timely appeal requires leave, application for delayed appeal shall be made as above provided and, in addition, shall affirmtively show, by affidavit of facts, that the delay was not due to appellant's culpable negligence. Any party may file affidavits in opposition thereto.

(b) Where timely appeal would have been of right, application for delayed appeal need not be accompanied by settled statement of facts but shall affirmatively show, by statement of facts and brief, that there is merit in the claim of appeal and, by affidavit of facts, that the delay was not due to appellant's culpable negligence. The application shall be noticed for hearing as a motion. Any other party may file opposing statement, brief and affidavits.

Section 4. On showing of emergency, of appellant's due diligence, and of the character of injury to him through observance of the above practice on application for leave to appeal, application may be made on ex parte statement of fact, showing of merit, and on proof of such notice to other parties as the circumstances permit, or excuse for lack of notice; and immediate consideration of the application may be prayed.

Section 5. Upon such application the court, in lieu of leave to appeal, may in its discretion order issuance of the proper original writ.

Section 6. To obtain leave to appeal to the Supreme Court from an order or award of the department of labor and industry or to review the action of any other administrative board, officer or tribunal, the appellant shall, within the time limited for perfecting an appeal as of right (except in case of delayed appeal):

(a) File in the Supreme Court an application for leave to appeal, setting out the reasons and grounds of the appeal, with record attached thereto, certified as correct by the officer having custody of the original, with supporting brief.

The certified record shall include all documents, files, pleadings, testimony, opinions of the board or officer, except such as may be summarized or omitted in whole or in part by stipulation of parties;

(b) Notice the application for hearing and serve copies of the application and briefs on all other parties or their counsel; at least ten days before the date of hearing.

In proper cases, Section 3 (a) and (b), Section 4 and Section 5 shall be applicable under this section.

Section 7. Upon the determination of such application by the Supreme Court or a Justice thereof, the clerk shall enter an order in accordance therewith and mail copies to counsel for the parties. If the application be denied, the court may tax costs as on motion.

RULE 61

Cross-Appeals to the Supreme Court

Section 1. When an appeal shall be taken to the Supreme Court and any other party desires to appeal, he may perfect a cross-appeal in the same manner and under the same rules and practice as in case of an original appeal, except that the twenty days' time for filing claim of cross-appeal shall run from the date of the service upon him of the claim of appeal. A cross appellant shall serve his reasons for the cross-appeal at the time of serving proposed amendments, if any, to the record, case or bill of exceptions, otherwise when the record, case or bill of exceptions is settled.

Section 2. Leave to appeal granted to appellant shall vest appellee with the right to a cross-appeal. If during the time within which claim of cross-appeal might have been filed, or after such claim has been filed, appellant shall abandon his appeal or the same shall be dismissed by the court, appellee's cross-appeal may nevertheless be perfected and prosecuted to a conclusion in accordance with the rules and practice of the court regarding appeals, but the time within which to secure and file a stenographer's certificate and take subsequent steps shall run from date of order of dismissal.

RULE 62

Stay of Proceedings

Section 1. No appeal, other than appeals from probate courts, shall operate as a stay of execution unless and until an appeal bond to the adverse party or to such other party or official as shall be expressly required by the statute authorizing the appeal shall be filed, in the amount and with the sureties provided by law, conditioned (1) to prosecute the appeal to effect, (2) to perform and satisfy the judgment, decree or order of the appellate court, (3) to perform and satisfy the judgment, decree or order appealed from in case the appeal should be dismissed or discontinued, (4) in appeals from a decree of foreclosure of a mortgage or land contract, to pay to the appellee the damages which may result to the appellee from the stay of proceedings, and (5) to do any other act which shall be expressly named, in the statute authorizing the appeal, as a condition of the appeal bond.

Section 2. An order staying proceedings upon any judgment, decree or final order of any circuit court, at law or in chancery, may be made by such court for a period, not to exceed 20 days in its discretion, in order to allow appellant to prepare and file a claim of appeal or move for a new trial or rehearing, and an order for any stay of proceedings which may seem just may be made by the Supreme Court or a Justice thereof in any case where leave to appeal thereto must first be obtained. But no stay of proceedings shall be ordered by any circuit court for any longer period than said 20 days, nor by any other court nor in any other cases than hereinabove stated, unless and until a bond shall be filed as follows:

(a) Where such order staying proceedings is applied for before perfecting an appeal, a **stay bond** to the appellee shall be filed conditioned (1) to perform and satisfy the judgment, decree or final order if the same be not set aside or reversed, (2) in case an appeal shall thereafter be taken from such judgment, decree or final order, to prosecute such appeal to effect and to perform and satisfy such judgment, decree or order as may be rendered by the appellate court.

(b) Where such order staying proceedings is applied for after perfecting an appeal, an **appeal bond** to the appellee shall be filed conditioned as provided in Section 1 of this rule.

Provided, however, that when a stay bond is filed under Section 2 (a) of this rule, having the substantial requirements of an appeal bond, it shall operate as an appeal bond, if and when an appeal shall thereafter be perfected in all respects as though it had been filed as an appeal bond under Section 1 of this rule.

And provided also that the order allowing any stay shall conform to any further condition expressly required by the statute authorizing the review.

Section 3. Notice of the time and place of making application for the approval of any stay bond or appeal bond shall be given to the adverse party as in case of a motion in every appeal to the Supreme Court.

Section 4. If a bond shall be filed before execution issues, and notice thereof shall be given to the officer having authority to issue execution, such execution shall be stayed; and if such bond shall be filed after the issuance but before the collection of an execution, and notice thereof shall be given to the officer holding the same, such execution shall be suspended.

Section 5. Whenever a stay of proceedings may be necessary in order to make a special motion, the court or judge may grant an order for that purpose; and service of such order, with copies of the affidavits on which it is grounded and the notice of the motion, shall operate as a stay of proceedings until the order of the court is had in the premises, unless the judge shall in the meantime supersede or set aside such order. But the proceedings shall not be stayed for a longer time than to enable the party to make his motion according to the practice of the court, and if made, until the decision of the court thereon.

Section 6. Where interlocutory orders are appealable, such as interlocutory orders heretofore reviewable by certiorari, mandamus or prohibition, the perfecting of the appeal shall stay further proceedings while the appeal shall be pending, except as otherwise ordered by the Supreme Court.

RULE 63

Stipulations in Appeals to the Supreme Court

Section 1. It shall be competent for the parties, in any appeal to the Supreme Court from any court, tribunal or officer, to stipulate in writing regarding any matters relevant to the statement or other record constituting the basis for any application for leave to appeal, or regarding any matters relevant to any part of the record on appeal, provided such stipulation is attached to the statement or record to which it relates, and provided further that where such statement or record is required to be settled before the trial judge, the stipulation shall be approved by him.

Section 2. Parties may stipulate in writing for transmission to and use in the Supreme Court any original photograph, book, document, or exhibit, offered or received in evidence.

RULE 64

Review in the Supreme Court of Law Cases Tried Without a Jury

Upon appeal to the Supreme Court from a judgment in an action at law tried without a jury, such judgment may be affirmed or reversed, the cause remanded with directions, or a new trial ordered. Appellant may assign as error that the judgment is against the preponderance of the evidence; but on appeals in civil cases error cannot be assigned for total lack of evidence on a material question unless such lack of evidence has been called to the attention of the court during the trial or on motion for a new trial.

RULE 65

Record on Appeal to the Supreme Court Where No Bill of Exceptions or Settled Cases Required

Section 1. In appeals to the Supreme Court from a court record, where no bill of exceptions or settled case is required, the appellant shall prepare a proposed settled record and shall attach thereto (1) a statement of the reasons and grounds of appeal and (2) a notice when and where the same will be presented for settlement. Such reasons and grounds of appeal need not be limited to those stated in the application, if any, for leave to appeal.

Section 2. The time noticed for such settlement shall be within twenty days after the claim of appeal is filed, or within such further time as may be ordered by the trial judge, upon motion filed within said twenty days and duly noticed for hearing, and upon cause shown; and the proposed settled record, together with the statement of reasons and grounds of appeal and the notice for settlement, shall be served on the appellee at least four days before the time for such settlement.

Section 3. Reasons and grounds of appeal attached to such proposed record may be stated in the form heretofore employed in assignments of error and may be designated as such, but no statement shall be deemed insufficient if it reasonably informs of the error relied upon.

Section 4. Amendments to such settled record may be proposed in writing by the opposite party, and controversies regarding the same shall be determined and the said record shall be settled and certified in the same manner as a bill of exceptions or settled case.

Section 5. When so settled and certified the said settled record shall be delivered to the appellant who shall file the same with the clerk of the trial court within ten days thereafter, and thereupon the appellant shall promptly print and file with the clerk of the Supreme Court the record on appeal, which shall consist of the following parts, set forth in the following order:

(a) Date of order allowing appeal, when leave to appeal required;

(b) The list of calendar and journal entries in the cause;

(c) The statement of reasons and grounds of appeal;

(d) The settled record;

(e) Copy of all opinions and findings of the court;

(f) Copy of the order, judgment or decree appealed from.

If the appellant fails to file such settled record with the clerk of the trial court within the time above limited, he shall be deemed to have waived his appeal unless further time shall be allowed therefor by the trial judge on special motion for cause shown.

Section 6. In appeals to the Supreme Court from the department of labor and industry or any other administrative board, officer or body, the record on appeal shall consist of the same application and the same certified record, together with the stipulations, if any, attached thereto, which was prepared and filed with the clerk of the Supreme Court when leave to appeal was asked.

RULE 66

Record on Appeal to the Supreme Court Where Bill of Exceptions or Settled Case Required

Section 1. In appeals to the Supreme Court from a court of record, where a bill of exceptions or settled case is required, the appellant shall prepare a proposed bill of exceptions or settled case, and shall attach thereto (1) a statement of the reasons and grounds of appeal and (2) a notice when and where the same will be presented for settlement. Such reasons and grounds of appeal need not be limited to those stated in the application, if any, for leave to appeal.

Section 2. The time noticed for such settlement shall be within twenty days after the date of filing the claim of appeal when the appeal is of right, or within twenty days after notice to appellant by the clerk of the Supreme Court of the allowance of the appeal, or within such further time, not exceeding one year after entry of judgment, as the judge may allow provided the party desiring such extension shall produce a certificate from the stenographer of the trial court stating that appellant has ordered a transcript of the testimony necessary for the preparation of a bill of exceptions or settled case, that payment therefor has been made or secured, and that the same will be furnished as soon as possible by said stenographer, or, if it be the fact, that the transcript has been furnished; and the proposed bill of exceptions or settled case, together with the statement of reasons and grounds of appeal and the notice for settlement, shall be served on the appellee at least four days before the time for such settlement.

Section 3. Reasons and grounds for appeal shall be stated in the form heretofore employed in assignments of error, and may be designted as such, but no statement shall be deemed insufficient if it reasonably informs of the error relied upon. No bill of exceptions or case shall be signed unless accompanied by such statement of reasons and grounds of appeal, and no errors shall be considered by the Supreme Court that are not included in such statement.

Section 4. Amendments to such bill of exceptions or settled case may be proposed in writing by the opposite party, and controversies regarding the same shall be determined by the trial judge, according to the facts, at such time and place as he shall appoint.

Section 5. The party desiring settlement of a bill of exceptions or case shall furnish the adverse party such portion of the stenographer's minutes as shall have been procured, for inspection and use by such adverse party in the preparation of amendments to the proposed bill of exceptions or case, together with the original or copies of such exhibits, papers, writings, or documents as he shall incorporate in such bill of exceptions or case, for the use of the adverse party. The party desiring such settlement may also be required to furnish a copy of such further portions of the stenographer's minutes as may be deemed necessary by the court to a settlement of such bill of exceptions or case.

Section 6. When a motion for a new trial or rehearing has been previously denied by the trial judge, the party appealing may assign error on such decision, and may incorporate in the bill of exceptions or case a record of all proceedings had on said motion, including the reasons given by the trial judge in denying the same, and the decision shall be reviewed by the Supreme Court.

Section 7. The bill of exceptions or case shall contain only such parts of the testimony and proceedings, including the opinion or findings of the court, if any, and the whole of the charge where error is assigned on instructions to the jury, as may be necessary to present the questions of law raised by the errors assigned as reasons and grounds of appeal, and such other matter as by rule or statute may be required to be set forth therein.

In equity cases the substance of excluded evidence offered at the trial and the proceedings had at the trial in relation thereto, under C. L. 1929, Section 14159, shall be set forth in the settled case, and in actions at law tried without a jury the same matters shall be set forth in the bill of exceptions.

Section 8. Where an appeal is taken by either party in accordance with the provisions of C. L. 1929, Section 14532, no error against the appellee shall be considered unless he shall prepare and present assignments of error upon which he relies for a new trial in the event of a reversal of the judgment. Such assignments of error shall be presented and attached to the bill of exceptions at the time of the settlement thereof in like manner and with like effect as assignments of error by appellant.

Section 9. The testimony in a bill of exceptions or case shall be set out in narrative form unless the trial court shall deem it necessary to a full understanding of the questions involved that it be set out in full or in part by question and answer, in which case the trial court shall so certify in writing.

Section 10. It shall at all times be lawful for the parties or their attorney to agree upon settlement of facts without procuring the stenographer's minutes of the testimony taken at the trial, and in case of such agreement, and if satisfactory to him, the trial judge, or any other judge with authority in the premises, by virtue of the statutes or this rule, shall sign and certify such statement, and the statement so signed and certified shall stand as the bill of exceptions or case, for review on the appeal to the Supreme Court in such cause.

Section 11. The trial court, or any judge thereof, may make an order, on motion by an interested and proper party, after due notice thereof, that any original photograph, book, document, or exhibit, offered or received in evidence, be exhibited for the purpose of being copied by photostatic process or otherwise, or that it be transmitted to the appellate court, under conditions named in such order, without being copied when the expense or difficulty of copying would be sufficient to justify such transmission.

Section 12. The bill of exceptions or case shall be signed by the trial judge and delivered to the appellant who shall file the same with the clerk of the trial court within ten days thereafter, or in default thereof shall be deemed to have waived such bill of exceptions or case, unless further time shall be allowed therefor by the trial judge on special motion for cause shown.

Section 13. Whenever the judge who has heard a cause or proceeding shall die, resign or vacate office before the expiration of his term, or whenever such judge shall be unable to settle bill of exceptions or case, by reason of sickness, absence from the state or any other cause whatever, within the time prescribed by statute or these rules, such bill of exceptions or case may be settled by any other judge of the same court as the judge who heard said cause or proceeding, and in case there should be no other judge of such court, or in case of his or their absence or disability from any cause, such bill of exceptions or case may be settled by the successor of such judge, if not disqualified, or by any other circuit judge.

Whenever a case is tried by a judge transferred from some other circuit, the bill of exceptions or settled case may be settled before a local judge of the same court by consent of counsel.

Section 14. After the bill of exceptions or settled case is filed with the clerk of the trial court, the appellant shall promptly print and file with the clerk of the Supreme Court the record on appeal, which shall consist of the following parts, set forth in the following order:

(a) Date of order allowing appeal, where leave to appeal required;

(b) A list of calendar and journal entries in the cause;

(c) The statement of reasons and grounds of appeal;

(d) Such parts of the pleadings and records in the cause as are material to the reasons and grounds of appeal;

(e) The bill of exceptions or settled case;

(f) Copy of all opinions and findings of the court;

(g) Copy of the order, judgment or decree appealed from.

Section 15. The clerk of the court from which the appeal is taken shall, upon the filing of the bill of exceptions or settled case, transmit to the clerk of the Supreme Court all of the original files in the case, together with a copy of all calendar entries and journal entries, and shall attach the same in their chronological order and certify to the correctness thereof. After the appeal is determined by the Supreme Court, the clerk of that court shall promptly return the original record to the clerk of the court from which it was received, together with a certified copy of the order, judgment or decree entered thereon.

RULE 67

Appellant's Brief on Appeal to Supreme Court

Section 1. On the first page of the brief appellant shall, under the heading "Statement of Questions Involved" state the questions involved in the appeal. Each question shall be numbered and set forth separately, in the briefest terms, and whenever possible, each question must be followed immediately by a statement as to whether the lower court answered it "Yes", or "No", or qualified it, or failed to answer it, together with a statement that appellant contends that it should be answered "Yes" or "No" as the case may be. Ordinarily no point will be considerd which is not set forth in or necessarily suggested by the statement of questions involved.

Section 2. Following the statement of questions involved there shall be, under the heading "Statement of Facts," a clear and concise chronological statement in brief narrative form of the facts of the case, with dates of instruments or important events, including the nature of the action, the character of the pleadings and proceedings, the substance of the proof in sufficient detail to make it clearly intelligible, the rulings and orders of the court, the nature of the verdict and judgment, the substantial errors complained of and any other matters necessary to an understanding of the nature of the controversy and of the questions involved on the appeal, with page references to the record. The court will consider such statement sufficient and accurate unless the opposite party shall point out in his brief wherein the statement is insufficient or inaccurate. As nearly as may be the brief shall indicate which facts are undisputed.

Section 3. Following the statement of facts, the appellant shall, under the heading "Argument," set forth his argument, with page references to the record, where facts are referred to. The main points of the argument shall be set out in bold face type.

Section 4. There shall be a concluding section, under the heading "Relief", specifying the order, judgment or decree to which the appellant contends he is entitled.

RULE 68

Appellee's Brief on Appeal to Supreme Court

Section 1. The appellee shall state in his brief, under the heading "Statement of Questions Involved" that he accepts the statement of the questions set forth in appellant's brief, or he shall make, under the heading "Counter-Statement of Questions Involved" such different statement of the questions involved as he believes to be necessary or advisable.

Section 2. Under the heading "Statement of Facts," the appellee shall state that he accepts the statement of facts in the appellant's brief, or under the heading "Counter-Statement of Facts" he shall point out such insufficiencies or inaccuracies as he believes exist in the appellant's statement, with full references to the pages of the record in support thereof, but without repetition of matters in appellant's statement of facts.

Section 3. Under the heading "Argument" the appellee shall set forth his argument in the case, with page references to the record where facts are referred to. The main points in the argument shall be set out in bold face type.

Section 4. If there is a cross appeal, the appellee shall, under the heading "Relief," specify the order, judgment or decree that he believes should be entered by the Supreme Court.

RULE 69

Printing, Filing and Serving Records and Briefs

Section 1. The record on appeal for the Supreme Court shall be printed in 11-point type, 24 pica ems to a line, 35 lines to a page, on a 14-point body, and shall be printed on unglazed paper, trimmed size to be 6¼ by 9¼ inches.

It shall have a suitable cover consisting of heavy paper indorsed substantially as follows:

In the Supreme Court
Appeal from the ....
(naming the court or tribunal appealed from)
....
Judge (or presiding officer)

....
Plaintiff and Appellant
(or Appelle)
vs. } Calendar No......
(or Appellant)
....
Defendant and Appellee

RECORD ON APPEAL

....
Attorneys for Plaintiff and Appellant (or Appellee)
Business Address
....

....
Attorneys for Defendant and Appellee (or Appellant)
Business Address
....

The record on appeal shall contain a complete index of all portions thereof, including the names of witnesses whose testimony appears in such record, and the pages whereon the examination, cross examination or re-examination is found, and each exhibit with the page on which it appears, and each alleged erroneous ruling with the page on which it may be found, and this index shall be printed in the front of the record following the cover. The index shall state the general character of each exhibit.

The date of the official filing of each pleading set out or referred to in the record shall be stated immediately preceding such pleading.

All records of more than 100 pages shall be sewed and not stapled.

The clerk shall not receive any record failing to meet the requirements of this section.

Section 2. As soon as the record on appeal is printed, the appellant shall serve at least two copies thereof upon each attorney or firm of attorneys who has appeared in the appeal for a separate appellee or group of appellees and upon each appellee who has appeared in his own proper person, and shall serve six copies thereof upon the attorney general in all state and criminal cases and in all cases in which the state is a party or interested;

and before the first day of the term at which the cause shall be noticed for argument, the appellant shall file at least eighteen copies thereof with the clerk of the Supreme Court.

In any case the appellant shall cause the printed record to be served upon the appellees or their attorneys within the time for serving briefs under Section 4 of this rule, for the service of the appellant's brief, unless further time therefor shall be granted.

If the appellant shall fail to print and serve the record within the time above required, or within such further time as shall be granted on motion, the court may, on motion by the appellee, dismiss the case and award costs to the appellee, or further time may be granted for compliance with said requirements, on terms. If the appellant shall fail to have the printed record filed before the first day of the term for which the cause is regularly noticed for argument, the cause shall be stricken from the term docket on the first day of the term, and further dealt with as justice may require.

Section 3. Each brief shall be printed, entitled and bound in the same manner as records, except that it shall be designated "Brief for ...., Appellant", or "Brief for ...., Appellee".

Section 4. As soon as appellant's brief is printed, and at least twenty days before the first day of the term at which the cause is regularly noticed for hearing, two copies of the appellant's brief shall be served upon each party or attorney entitled under Section 2 of this rule to receive two copies of the record; and within the same time six copies of said brief shall be served upon the attorney general in any case where he is entitled under Section 2 of this rule to receive copies of the record. In default of such service within the time so specified, or within such further time as may be granted on motion, the cause may be dismissed on the appellee's motion, or at appellee's option, on the first day of the term, the cause may be placed at the foot of the docket or continued over the term.

Two copies of the appellee's brief shall be served upon the appellant as soon as printed and at least five days before the first day of the term at which the cause is regularly noticed for hearing. **Provided**, however, that if the printed record and appellant's brief shall be served thirty days before the first day of the term, the appellee's brief shall be served at least fifteen days before the first day of the term. In case of default by either party in the service of briefs, the Court may make such order as may be deemed appropriate, including in the case of appellant's default the dismissal of the appeal or the affirmance of the judgment or order appealed from.

Eighteen copies of all briefs shall be filed with the clerk of the Supreme Court at least twenty-four hours before the case has been placed on call; and no oral argument will be heard on behalf of a party failing to comply with this provision. If appellant's brief is not filed 20 days before the first day of the term, he shall not be entitled to an oral argument unless the appellee also shall be entitled to argue.

RULE 70

Supreme Court Docket

Section 1. After the record has been sent to the Supreme Court by the clerk of the court or tribunal from which the appeal is taken, and the entry fee is paid, either party may notice the cause for hearing; and if such fee is paid by the appellee it may be taxed by him as costs in case he prevails on the appeal. Said notice shall be given to the other parties to the appeal at least thirty days before the first day of the term at which the argument is desired.

Section 2. All cases brought up by claim of appeal are term docket causes, except those to review interlocutory orders which shall be heard as motions and to be heard at any term must be placed on the term docket for that term. Criminal cases may be placed on the term docket during the first two weeks of the term by consent of the attorney general.

Section 3. The party noticing a cause for hearing shall, at least twenty days before the first day of the term for which the same is noticed for hearing, give notice to the clerk to place the same on the term docket for the term, and the priority of causes on the term docket, as first made shall be in accordance with the dates of filing said notices with the clerk. No cause shall be so placed on the term docket until such notice has been given nor until the record has been transmitted to the Supreme Court by the clerk of the court or tribunal from which the appeal is taken.

Upon filing stipulation with the clerk not later than the Saturday before the first day of the term, cases may be placed lower down on the term docket and grouped to suit the convenience of counsel. After such rearrangement of causes by the clerk, no further changes can be made by counsel, except to continue or place at the foot of the term docket. In cases where counsel are not present in court, notice of motions for continuance, to be heard on the first day of the term, shall be given at least twenty-four hours previous thereto and if for any subsequent day, two days' notice shall be given.

RULE 71

Call and Argument of Cases in Supreme Court

Section 1. The Court, on the first day of each term, after motions are disposed of, will commence calling the cases for argument in the order in which they stand on the term docket as re-arranged, and proceed from day to day during the term in the same order, and if the parties, or either of them, shall be ready when a case is called, it will be heard; and if neither party shall be ready to proceed in the argument, the cause will be regarded as submitted on briefs. No cause shall be withdrawn after being placed on the call, except to continue the same, and a continuance will be allowed only upon a sufficient showing of the death or illness of counsels. Fifteen cases only, except when otherwise ordered, shall be considered subject to call on each day during the term, including the one under argument, if the same shall not have been concluded on the preceding day. No cause shall be taken up out of its order, or set down for a particular day, except under special and peculiar circumstances to be shown to the Court. On motion days, motions will take precedence of term docket causes.

Section 2. In the argument of term docket cases, two counsel may be heard on a side. The time allowed for argument on each side shall not exceed one-half hour in cases involving five hundred dollars or less, exclusive of costs and interest, and in cases where but one side is represented at the argument. In all other cases the argument will be limited to one hour on each side. The time for argument may be extended by the Court upon application granted before the argument begins.

Section 3. Any cause may be submitted upon briefs by stipulation at any time.

Section 4. No application for rehearing

will be considered by the Court unless the moving party shall, within twenty days from the filing of the opinion therein, cause any papers upon which it is based, together with his reasons for granting the same, to be printed, and 18 copies thereof to be filed with the clerk of this Court, and a copy thereof to be served upon the counsel for the opposite party. Proof of this service shall also be filed with the clerk. The party opposing may, within ten days thereafter, file with the clerk 18 copies of his objections to the application, either printed or typewritten, as he may prefer; the Court will then examine the papers, and without further argument, unless specially ordered, will pass upon the application.

RULE 72

Miscellaneous Relief Obtainable in Supreme Court

Section 1. The Supreme Court may, at any time, in addition to its general powers, in its discretion and on such terms as it deems just:

(a) Exercise any or all of the powers of amendment of the court or tribunal below;

(b) Allow substitution of parties by reason of marriage, death, bankruptcy, assignment, or any other cause, allow new parties to be added or parties to be dropped, or allow parties to be rearranged as appellants or appellees, on such reasonable notice as it may require;

(c) Permit the reasons or grounds of appeal to be amended or new grounds to be added;

(d) Permit the transcript or record to be amended by correcting errors or adding mattes which should have been included;

(e) Continue the cause until such further evidence shall be taken and brought before it as the Court may deem necessary in order to do justice;

(f) Draw inferences of fact;

(g) Give any judgment and make any order which ought to have been given or made, and make such other and further orders and grant such relief, whether mentioned in the notice of appeal or not, as the case may require.

Section 2. Where, under the practice relating to appeals or stay of proceedings, any nonjurisdictional act is required to be done within a designated time, the appellate court or a judge thereof may at any time, upon motion and due notice, permit it to be done after the expiration of such period upon a showing made to the reviewing court or a judge thereof that there was good cause for such delay or that it was not due to the culpable negligence of the appellant, provided no extension shall be made beyond the final limit fixed by the statutes of limitation of this State pertaining to review. Application for such permission shall be heard only on the usual notice required for special motions, and notice thereof shall be accompanied with a copy of the application and the affidavits on which the same is based.

RULE 73

Final Process from Supreme Court

Final process to which any party may be entitled upon a judgment or decree of the Supreme Court shall be issued by the clerk and made returnable not less than twenty nor more than ninety days from the time of its issue.

RULE 74

Appeals to the Circuit Court

In all counties of less than five hundred thousand population, appeals to the circuit court from probate court, justices' courts, circuit court commissioners and from any other court, board or tribunal not governed by these rules, shall be made in accordance with statutory provisions governing the same.

Trial by jury shall be deemed to have been waived unless demanded within fifteen days after return to the appeal is filed in the circuit court.

RULE 75

Appeals to the Circuit Court from Probate Courts, Probate Judges and Commissioners on Claims in Judicial Circuits With a Population of Five Hundred Thousand and Upwards

In each judicial circuit with a population of five hundred thousand and upwards, appeals to the Circuit Court of such circuit from any probate court, any probate judge, and any commissioner or commissioners on claims, in all civil cases (except condemnation cases), shall be governed by the following provisions:

Section 1. Every order, determination, decision, sentence, action, judgment, or decree of a judicial or quasi-judicial nature rendered in any civil proceeding, by any such probate court, probate judge, or commissioner or commissioners on claims, if heretofore reviewable in any manner in such circuit court, shall hereafter be reviewed in such circuit court by a proceeding herein designated and to be known as an appeal. This section shall not be deemed to restrict or enlarge the right of review provided by law, or to make any order, determination, decision, sentence, action, judgment, or decree reviewable which otherwise would not be reviewable.

Section 2. In case of appeals where leave to appeal need not first be obtained from such circuit court, the appeal shall be taken within twenty days after the entry of the order, determination, decision, sentence, action, judgment, or decree appealed from, Provided, however, that the probate judge may, within said twenty days, on cause shown and without notice, extend the time for taking such appeal, not to exceed forty days from and after the expiration of said twenty days.

Section 3. In the following sections,

(a) "Lower court" shall be construed to include any probate court, any probate judge, and any commissioner or commissioners on claims;

(b) A requirement of filing in the "lower court" shall be construed to require filing with the clerk or register of probate, if there be one, and otherwise with the probate judge;

(c) "Commissioner on Claims" shall be construed to include commissioners on claims.

Section 4. In case of appeals where leave to appeal need not first be obtained from such circuit court, the appellant shall do the following acts within the time limited for taking an appeal, except as hereinafter provided in this section, paragraph (b);

(a) A claim of appeal in the form hereinafter provided shall be filed with the lower court, Provided, however, that in appeals from a commisisoner on claims, no claim of appeal shall be filed unless and until the approval of the judge of probate is endorsed thereon as hereinafter provided; and upon such filing, the circuit court shall be deemed vested with jurisdiction of the matter appealed from, and no appeal shall thereafter be dismissed without notice to the appellant, but the probate court shall retain jurisdiction of the estate or matter in which the appeal is taken, in all other proceedings.

(b) The appellant shall serve a copy of such claim of appeal upon the adverse party or parties in such manner—by personal service, publication or posting—as the probate court shall direct, within fifteen days from the date of the order directing the manner of such service, unless the adverse party or parties shall, by an instrument in writing filed in the circuit court, waive such notice, and the adverse party or parties, for the purpose of this Section, shall be deemed to be such person or persons as shall be named as such in the order of the probate court directing such notice.

Section 5. (a) The claim of appeal shall be entitled in the cause, matter or estate in the probate court, and the party or parties appellant shall be named and designated. It shall be in substantially the following form:

State of Michigan
In the Probate Court for the County of
....
In the Matter of..
File Number ....
Appeal of ....
appellant to the Circuit Court of........................
County.
Appellant being..
(Executor, administrator, creditors, etc.) and
a person aggrieved by the..
(decree, order, sentence, denial, decision,
etc.) of the...
(judge of probate or commissioner on claims)
for the county of...
entered .... (date),
claims an appeal therefrom for the following reasons, and to which the appeal shall be limited: (setting out the reasons and grounds for appeal).

(b) It shall be dated and signed by the appellant or his attorney of record, whose business address shall be plainly written under such signature.

(c) There shall be attached to such claim of appeal an affidavit made by the appellant himself, or by his attorney or agent, sworn to before any person authorized to administer oaths, stating that said order, determination, decision, sentence, action, judgment or decree is not in accordance with the just rights of such party, as the person making such affidavit verily believes.

(d) If the issue arising on the appeal shall be triable by a jury, and the appellant desires a jury trial, he shall add a demand for jury trial to his claim of appeal; otherwise it shall be deemed to have been waived by the appellant.

(e) In appeals from a commissioner on claims, the approval of the probate judge shall be endorsed in writing upon the claim of appeal.

Section 6. The circuit court shall have power to grant leave to appeal in the following cases:

(a) Where such leave is specifically required by statute or rule;

(b) Where the right of review sought to be exercised is statutory and is conferred only by certiorari, mandamus or other discretionary writ;

(c) Where there is no statutory right to review and certiorari would be the appropriate remedy at common law;

(d) In all other cases, after the expiration of the time herein fixed for appeal and within such further time as may be permitted by law, upon showing by affidavit or otherwise that there is merit in appellant's claim for appeal and that the delay was not due to appellant's culpable negligence.

Section 7. In cases where leave to appeal must first be obtained, such leave shall be granted only upon motion and notice filed in the circuit court, within the time prescribed by law, a copy of which motion and notice shall be filed within two days with the lower court, and the date of hearing fixed in said notice shall be within ten days after filing said motion. The motion shall set forth the reasons and grounds of the proposed appeal and there shall be attached thereto an affidavit setting forth so much of the substance of the record and proceedings in the court or tribunal below as is necessary to show the merits of the claim for appeal and the names of all adverse parties. The judge of the circuit court hearing such motion shall, after hearing, enter an order allowing or denying such appeal, and if the appeal is allowed, the judge shall in said order, prescribe the time within which an appeal shall be taken, which time shall in no case exceed ten days from the date of such order, and the appellant shall:

(a) Forthwith file a true copy of such order with the lower court; thereupon the circuit court shall be deemed vested with jurisdiction of said appeal, and no appeal shall thereafter be dismissed without notice to the appellant.

(b) If the appellant desires a jury trial, he shall file demand therefor with copy of such order; otherwise, jury trial shall be deemed to have been waived by the appellant;

(c) Within four days of the date of such order, serve a true copy thereof, and of the demand for a jury trial, if any, upon the opposite party or his attorney, or serve a copy of the order and of the demand, if any, upon such persons and within such time and in such manner as the circuit court shall by order direct.

Section 8. In all appeals, within the time limited for taking an appeal, the appellant shall also do the following:

(a) Secure the approval of, and file with the lower court such bond as may be required by law as a condition of the appeal:

(b) Pay such fee as may be required by law for taking such appeal;

(c) Make any delivery or deposits of money or property or documents, and do any other act which may be required by law.

Section 9. In all appeals, within five days after service of a copy of any claim of appeal or order allowing an appeal has been made, evidence thereof, consisting of a written affidavit of service or acknowledgement thereof, shall be filed in the circuit court and no action shall be taken by the circuit court based upon any such service until such evidence has been filed.

Section 10. Each appellee, after being served with a copy of any claim of appeal or order allowing an appeal, shall serve a notice of appearance upon each appellant or his attorney or record, and shall file a copy thereof with the lower court within ten days after service upon such appellee:

Section 11. Such notice of appearance shall be drawn as follows:

(a) It shall be entitled in the same manner as the claim of appeal and shall be plainly designated "Notice of Appearance," or "Notice of Appearance and Cross-Appeal," as the case may require;

(b) It shall state the facts of appellee's appearance and whether he appears in person or by attorney;

(c) If the appellee desires to appeal from all or any part of the order, determination, decision, sentence, action, judgment, or decree, he shall so indicate in his notice of appearance under a division of such notice entitled "Cross-appeal";

(d) There shall be attached to such cross-appeal an affidavit made by the appellee himself or his attorney, sworn to before any person authorized to administer oaths, stating that such order, determination, decision, sentence, action, judgment, or decree is not in accordance with the just rights of such appellee, as the person making such affidavit verily believes;

(e) If the appellee is entitled to a trial by jury and desires the same, he shall state that he requests such trial by jury; otherwise, a jury trial will be deemed to have been waived by the appellee;

(f) The notice of appearance shall be dated and signed by the appellee or his attorney, whose business address shall be plainly written under such signature.

Section 12. Within the time limited for filing such notice of appearance, an appellee claiming a cross-appeal shall do the following:

(a) Secure the approval of, and file with the lower court such bond as may be required by law as a condition of such cross-appeal;

(b) Pay such fee as may be required by law for taking such cross-appeal;

(c) Make any delivery or deposit of money or property or documents, and do any other act which may be required by law.

Section 13. Leave to appeal granted to appellant shall vest the appellee with the right to cross-appeal without the necessity of moving therefor. If, during the time within which such claim of cross-appeal might have been filed, or after such claim has been filed, appellant shall abandon his appeal, or such appeal shall be dismissed by the circuit court, appelle's cross-appeal may, nevertheless, be perfected and prosecuted to conclusion.

Section 14. If no bond, or an insufficient or defective bond, be filed, or if any fee or part thereof is not paid, or if any other act required to be done be omitted or is imperfectly performed by either appellant or appellee, the circuit court may subsequently allow a new or better bond to be filed, or may allow such fee or any part thereof to be paid, or may allow any other act to be done or corrected, either on motion and notice to the adverse party, or on the hearing of any motion to dismiss based on such default or error upon such terms as may be just.

Section 15. If, on appeal or cross-appeal, the moving party shall fail to perfect his appeal and complete his record within the time required by rule, the adverse party may move to dismiss the appeal upon giving due notice; and upon hearing such motion the court may grant or deny the same upon such terms and conditions as the justice of the case may require.

Section 16. Upon the filing in the lower court of a claim of appeal or order allowing an appeal, the clerk or register of probate, if there be one, and if not, the probate judge, shall, upon payment of fees, promptly make up a record by securely attaching together at the top, certified copies of such papers and documents and other matters as the probate judge may by order designate, arranging them in the same order as required in the case of records in appeals to the Supreme Court, immediately transmit such record to the circuit court, give immediate notice of such transmittal to such adverse parties or their attorney or attorneys as the probate court shall have theretofore by order designated, and make a calendar entry of the date and the manner of serving such notice, Provided, however, that the bond or bonds on appeal shall remain in the custody of the probate court and shall be produced by such court upon order or subpoena of the circuit court.

Section 17. The circuit court may, upon motion and notice by an interested party, require the lower court to transmit to the circuit court any additional papers, records, or other documents as it deems necessary for a proper determination of the appeal.

Section 18. The circuit court may, upon motion and notice at any time, in its discretion, and on such terms as it deems just:

(a) Exercise any or all the powers of amendment of the court or tribunal below;

(b) Allow substitution of parties by reason of marriage, death, bankruptcy, assignment, or any other cause; allow new parties to be added or parties to be dropped; or allow parties to be re-arranged as appellants or appellees;

(c) Permit the record on appeal to be amended by correcting errors or adding matters which should have been included therein;

(d) Give any judgment and make any order which should have been given or made, and make such other and further orders and grant such relief as the case may require.

Section 19. Reviews in the circuit court are to be deemed to be retrials of issues upon evidence to be introduced in the reviewing court unless a contrary intent clearly appears from the language of the statute governing the review, and the circuit court shall enter such an order as the lower court should have entered, and remand the matter appealed from to the probate court.

Section 20. Stay of proceedings shall be governed by statute.

Section 21. Where the probate judge, pursuant to C. L. 1929, Section 15,958, shall make an order certifying to the circuit court a contest regarding the proving, allowing or disallowing of a will, the party applying for such transfer shall, within twenty days after the entry of such order, file a bond in the probate court to the adverse party, in such penalty and with such surety or sureties as the judge of probate shall approve, conditioned for the diligent prosecution of the case in the circuit court and the payment of all such damages and costs as shall be awarded against him, and thereupon the clerk of the probate court, or the judge if there is no clerk, shall upon payment of fees, make up a record and deliver the same to the appellant as provided in Section 10 of this rule, and when the said record is filed in the circuit court such court shall be vested with jurisdiction to determine such contest.

RULE 76

Appeals to the Circuit Court from Circuit Court Commissioners, Common Pleas Courts, Municipal Courts, Justice Courts, Justices' Courts and Justices of the Peace in Judicial Circuits With a Population of Five Hundred Thousand and Upwards

In each judicial circuit with a population of five hundred thousand and upwards, appeals to the circuit court of such circuit from any circuit court commissioner, common pleas court, municipal court, justice court, justices' courts, and justice of the peace, shall, in all civil cases (except condemnation cases) be governed by the following provisions:

Section 1. Every order, determination, decision, sentence, action, judgment, or decree of a judicial or quasi-judicial nature rendered in any civil proceeding, by any such court or officer, if heretofore reviewable in any manner in such circuit court, shall hereafter be reviewed in such circuit court by a proceeding hereby designated and to be known as an appeal. This section shall not be deemed to restrict or enlarge the right of review provided by law, or to make any order, determination, decision, sentence, action, judgment, or decree reviewable which otherwise would not be reviewable.

Section 2. In case of appeals where leave to appeal need not first be obtained from such circuit court, the appeal shall be taken within five days after the entry of the order, determination, decision, sentence, action, judgment or decree appealed from.

Section 3. In the following sections:

(a) "Lower court" shall be construed to include any circuit court commissioner, any common pleas court and judge thereof, any municipal court and judge thereof, any justice court, any justices' court, and any justice of the peace.

(b) A requirement of filing in the "lower court" shall be construed to require filing with the clerk of the court or officer having a clerk; or with the court or officer himself in case he has no clerk. Filing may be effected by serving the judge, justice, or officer in any manner provided for the service of papers upon attorneys, but if made by mail, it must be deposited in the mail so that in the ordinary course it should reach the judge, justice or officer within the time that an appeal may be affected.

Section 4. In case of appeals where leave to appeal need not first be obtained from such circuit court, the appellant shall do the following acts within the time limited for taking an appeal:

(a) A claim of appeal in the form hereinafter provided shall be filed with the lower court, and upon such filing the circuit court shall be deemed vested with jurisdiction of said appeal and no appeal shall thereafter be dismissed without notice to appellant.

(b) A copy of such claim of appeal shall be served upon the opposite party or parties, or upon his or their attorney or attorneys of record, in the lower court, in any manner provided for service of papers upon attorneys. If anyone entitled to service did not appear in the lower court by attorney, he may be served in the same manner as provided for service by mail upon attorneys. Provided, however, that if the place of business or residence of neither the party nor his attorney can be ascertained, service may be made by posting or publication in such manner and within such time as the circuit court shall by order direct.

Section 5. (a) The claim of appeal shall be entitled in the lower court and in the cause, naming and designating the parties in the same order as in the original proceedings, and adding to each the proper designation as appellant or appellee. It shall be substantially in the following form:

".. (plaintiff or defendant) claims an appeal from the................ .... (judgment, decree, order, etc.) entered.. (date) by the .... (naming the court and/or officer from which the appeal is taken)." It shall be dated and signed by the appellant or his attorney of record and the business address shall be plainly written under such signature.

(b) If the appellant desires a jury trial he shall add a demand for jury trial in his claim of appeal: otherwise he shall be deemed to have waived it.

(c) There shall be attached to such claim of appeal an affidavit made by the appellant, or his attorney, sworn to before any person authorized to administer oaths, stating that the deponent verily believes that the judgment, order, determination or action is not in accordance with the just rights of such party.

Section 6. The circuit court shall have power to grant leave to appeal in the following cases:

(a) Where such leave is specifically required by statute or rule;

(b) Where the right of review sought to be exercised is statutory and is conferred only by certiorari, mandamus or other discretionary writ;

(c) Where there is no statutory right to review and certiorari at common law would be the appropriate remedy;

(d) In all other cases after the expiration of the time herein fixed for appeal and within such further time as may be permitted by law, upon showing by affidavit or otherwise, that there is merit in appellant's claim for appeal and that the delay was not due to appellant's culpable negligence.

Section 7. In cases where leave to appeal must first be obtained, such leave shall be granted only upon motion and notice filed in the circuit court, within the time prescribed by law, a copy of which motion and notice shall be filed within two days with the lower court, and the date of hearing fixed in said notice shall be within ten days after filing said motion. The motion shall set forth the reasons and grounds of the proposed appeal and there shall be attached thereto an affidavit setting forth so much of the substance of the record and proceedings in the court or tribunal below as is necessary to show the merits of the claim for appeal. The judge of the circuit court hearing such motion shall, after hearing, enter an order allowing or denying such appeal, and, if the appeal is allowed, the judge shall in said order prescribe the time within which said appeal shall be taken, which time shall in no case exceed five days from the date of such order, and the appellant shall:

(a) Forthwith file a true copy of such order with the lower court; thereupon the circuit court shall be deemed vested with jurisdiction of said appeal and no appeal shall thereafter be dismissed without notice to the appellant:

(b) If the appellant desires a jury trial, he shall file demand therefor with a copy of such order; otherwise, jury trial shall be deemed to have been waived by the appellant;

(c) Within four days of the date of such order, serve a true copy thereof, and of the demand for a jury trial, if any, upon the opposite party or his attorney, or shall serve a copy of the order and of the demand, if any, upon such persons and within such time and in such manner as the circuit court shall by order direct.

Section 8. In all appeals, within the time limited for perfecting an appeal, the appellant shall also do the following:

(a) Secure the approval of, and file with the lower court such bond as may be required by law as a condition of the appeal;

(b) Pay such fee as may be required by law for taking such appeal;

(c) Make any delivery or deposits of money or property or documents, and do any other act which may be required by law.

Section 9. In all appeals, within five days after service of a copy of any claim of appeal or order allowing an appeal has been made, evidence thereof, consisting of a written affidavit of service or acknowledgement thereof shall be filed in the circuit court and no action shall be taken by the circuit court based upon any such service until such evidence has been filed.

Section 10. Each appelle, after being

served with a copy of any claim of appeal or order allowing an appeal, shall serve a notice of appearance upon each appellant or his attorney of record, and shall file a copy thereof with the lower court, within five days after service upon such appelle.

Section 11. Such notice of appearance shall be drawn as follows:

(a) It shall be entitled in the same manner as the claim of appeal and shall be plainly designated "Notice of Appearance," or "Notice of Appearance and Cross-Appeal," as the case may require;

(b) It shall state the facts of appellee's appearance and whether he appears in person or by attorney:

(c) If the appellee desires to appeal from all or any part of the order, determination, decision, sentence, action, judgment, or decree, he shall so indicate in his notice of appearance, under a divison of such notice entitled "Cross-Appeal."

(d) There shall be attached to such cross-appeal an affidavit made by the appellee himself or his attorney, sworn to before any person authorized to administer oaths, stating that such order, determination, decision, sentence, action, judgment, or decree is not in accordance with the just rights of such appellee, as the person making such affidavit verily believes;

(e) If the appellee is entitled to a trial by jury and desires the same, he shall state that he requests such trial by jury; otherwise, a jury trial will be deemed to have been waived by the appellee:

(f) The notice of appearance shall be dated and signed by the appellee or his attorney, and the business address shall be plainly written under such signature.

Section 12. Within the time limited for filing such notice of appearance, an appellee claiming a cross-appeal shall do the following:

(a) Secure the approval of, and file with the lower court such bond as may be required by law as a condition of such cross-appeal;

(b) Pay such fee as may be required by law for taking such cross-appeal;

(c) Make any delivery or deposit of money or property or documents, and do any other act which may be required by law.

Section 13. Leave to appeal granted to appellant shall vest the appellee with the right to cross-appeal without the necessity of moving therefor. If, during the time within which such claim of cross-appeal might have been filed, or after such claim has been filed, appellant shall abandon his appeal, or such appeal shall be dismissed by circuit court, appellee's cross-appeal may, nevertheless, be perfected and prosecuted to conclusion.

Section 14. If no bond, or an insufficient or defective bond, be filed, or if any fee or part thereof be not paid, or if any other act required to be done be omitted or imperfectly performed by either appellant or appellee, the circuit court may subsequently allow a new or better bond to be filed, or may allow such fee or any part thereof, to be paid, or may allow any other act to be done or corrected, either on motion and notice to the adverse party, or on the hearing of any motion to dismiss based on such default or error, upon such terms as may be just.

Section 15. If, on appeal or cross-appeal, the moving party shall fail to perfect his appeal and complete his record within the time required by rule, the adverse party may move to dismiss the appeal upon giving due notice; and upon hearing such motion the court may grant or deny the same upon such terms and conditions as the justice of the case may require.

Section 16. Upon the filing in the lower court of a claim of appeal or order allowing an appeal, the clerk of the court or officer appealed from, if there is a clerk, or the judge, justice of the peace, officer or presiding officer thereof, if there is no clerk, shall promptly make up a record by securely attaching togther at the top the bond or bonds, and the original papers and documents in the files, and the copies of the records, proceedings and all other matters in such lower court, arranging them in the same order as hereinbefore provided in cases of records in appeals to the Supreme Court, immediately transmit such record to the circuit court, and give notice of such transmittal to the appellant and appellee, or their attorney or attorneys, and make a calendar entry of the date and manner of serving such notice.

Section 17. The circuit court may, upon motion and notice by any interested party, require the lower court to transmit to the circuit court any additional papers, records, or other documents as it deems necessary for proper determination of the appeal.

Section 18. The circuit court may, upon motion and notice at any time, in its discretion, and on such terms as it deems just:

(a) Exercise any or all the powers of amendment of the court or tribunal below;

(b) Allow substitution of parties by reason of marriage, death, bankruptcy, assignment, or any other cause; allow new parties to be added or parties to be dropped; or allow parties to be rearranged as appellants or appellees;

(c) Permit the record on appeal to be amended by correcting errors or adding matters which should have been included therein;

(d) Give any judgment and make any order which should have been given or made, and make such other and further orders and grant such relief as the case may require.

Section 19. Reviews in the circuit court are to be deemed to be retrials of issues upon evidence to be introduced in the reviewing court unless a contrary intent clearly appears from the language of the statute governing the review.

Section 20. Stay of proceedings shall be governed by statute.

Circuit Court for the Third Judicial Circuit

(WAYNE COUNTY)

Revised to September 1, 1933.

PART I.

LAW AND CHANCERY

RULE 1

Terms of Court

There shall be twelve terms of Court each year, each term beginning on the first day of the month: Provided, that when the first day of the month falls upon a Sunday or legal holiday the next secular day of the month shall be the first day of the term: Provided further, that in September of each year the first day of the September term shall be the Tuesday following Labor Day. Each term of Court shall be deemed to continue from the first day of the term until the first day of the succeeding term.

RULE 2

The Jury

(a) Term of Service

The jury shall be in attendance each term of Court except during August. The term of jury service shall be for the term.

(b) Questionnaires: How and When Filled Out

Prospective jurors shall report to the Presiding Judge, for the purpose of filling out questionnaires, at the time and upon the day specified upon their summons. Such questionnaires, which shall cover the history and qualifications of the juror, shall be filled out and signed by each juror, **in his own handwriting, and in the presence of the Presiding Judge.**

(c) Questionnaires: Open to Inspection

All such questionnaires shall be kept on file in the office of the Assignment Clerk while such jury panel remains in service. The questionnaire shall be open to inspection by attorneys.

(d) Jury Box: Its Custody

The jury box shall be kept in the custody of the Presiding Judge, except when being used for empanelling juries.

RULE 3

Calendar of Cases Ready for Trial; Praecipe to be Filed

(a) The County Clerk shall, when directed so to do, prepare a calendar of cases ready for trial, the number of cases to be placed upon such calendar to be determined by the Presiding Judge. To entitle a case to be placed upon such calendar the same shall be fully at issue and a praecipe for trial filed with the County Clerk. Such praecipes shall be numbered consecutively by the County Clerk in the order in which they are filed with him. No contested case shall be called for trial unless praeciped as aforesaid or unless advanced upon motion.

(b) The County Clerk shall, when directed by the Presiding Judge so to do, prepare a separate calendar of "Causes in which no progress has been made for year." Such calendar or list of causes shall be published in the newspaper designated by the Court as the official publication of the daily call of active cases at least one full day preceding the call of such causes. Notice of date of publication shall be published for ten consecutive days prior thereto.

RULE 4

Presiding Judge

(a) Powers and Duties

The Judges shall choose one of their number as Presiding Judge. He shall act until his successor shall have been selected. He shall have entire administrative control of the work of the court, supervision and charge of the calendar. He shall classify the cases, and make regulations governing the calendar, and the calling and setting of cases for trial, and the dismissal of cases in which no progress has been made for more than a year. Criminal cases shall always have precedence. He shall hear and determine all motions and matters arising under this delegation of authority. He shall make monthly a report to the bench of the work of the court for the preceding calendar month. He shall also have immediate control and direction of the Assignment Clerk and staff.

(b) Calendar

Motions arising concerning the calendar shall be made in accordance with the general Circuit Court rules, and shall be heard only by the Presiding Judge. No recommendations therein shall be made by any Judge other than the Presiding Judge.

(c) Calendar: Formal Order to Be Signed

When a motion concerning the calendar is granted, a formal order shall be signed by the Presiding Judge the original filed and a notice thereof given the Assignment Clerk. No cause shall be moved from its position on the calendar by the Clerk until such order is filed with him.

(d) Adjournment of Cases on the Call

Before a case reaches No. 80 on the Law Call or No. 30 on the Chancery Call, one adjournment may be had, by consent, upon application to the Presiding Judge. Additional adjournments may be had only upon cause shown by affidavit, or upon motion to the Court. Once a case reaches the above number on the respective calls, an adjournment will not be granted except for reasons beyond the control of litigants or their attorneys, and which have arisen subsequent to the case reaching the call-number mentioned. If no response is made on the call of the same, it may be stricken from the calendar and an order to that effect placed in the file, and it shall not be reinstated except upon the written order of the Presiding Judge who struck the same from the calendar, based upon cause shown by formal motion and affidavits supporting the same.

RULE 5

Judge Presiding in the Miscellaneous Division

(a) Exclusive Authority; Alternate

No judge other than the judge presiding in the Miscellaneous Division shall perform any duty or exercise any powers or authority imposed by these rules upon such Judge, unless requested so to do by the Presiding Judge; Provided, that each judge presiding in the Miscellaneous Division shall select an alternate who shall perform the duties and exercise the powers of such Judge when the latter is absent or unavailable.

(b) Ex Parte Orders

Ex parte orders, excepting writs of habeas corpus, shall be issued only by the judge presiding in the Miscellaneous Division.

(c) Grand Juries

All petitions for a grand jury shall be presented to the Judge presiding in the Miscellaneous Division and by him submitted to the Bench for a decision as to whether the petition shall be granted and a grand jury called. No grand jury shall be called except by affirmative majority action of the Bench. Whenever a majority of the Bench decides that a grand jury should be called, either the Judge presiding in the Miscellaneous Division or some judge that he shall designate shall sit and act as such grand jury.

RULE 6

Trial Judges

(a) Duties

Every judge, visiting or local, shall try and dispose of any case or matters, in law or in chancery, or miscellaneous, when the same is assigned to him by the Presiding Judge; Provided, that no judge shall be required to hear or try a matter which, under these rules, should be assigned to another judge.

(b) Power to Dispose of Cases Assigned

Amendment to Part 1, Rule 6-B:

Whenever a case has been assigned to a judge for hearing, trial or other disposition, such judge shall have exclusive jurisdiction to finally adjudicate such case, including any new trial, retrial or rehearing thereof. Such judge shall not grant a continuance in a contested case assigned to him for trial or hearing, unless AFTER such trial or hearing has commenced the interests of justice shall require such a continuance.

RULE 7

Motions

(a) When Heard

All motions shall be heard on Saturday mornings, unless otherwise ordered by the Court, and excepting during July and August.

(b) Praecipe to Be Filed Four Days Before Hearing

A praecipe for the hearing of any such matter, order or motion (except orders in chambers), shall be filed with the Assignment Clerk at least four days before the day noticed for hearing, unless the Court shall order a shorter time.

(c) Praecipe: What to Contain

All praecipes for hearing provided for by this rule shall state the title of the cause, the nature of the motion in brief form, the name of the moving counsel. and the name of the opposing counsel, if known.

(d) Praecipe: Subscription

All motions to quash, dismiss, modify or change in any way any order heretofore made by any Judge, except Orders to Show Cause with restraining order shall be assigned to the Judge originally making the same. This motion should be assigned to Judge.................. .... All blanks on this praecipe must be filled in before it will be accepted by the Assignment Clerk. In Motions to Advance, state number of Praecipe Causes ready for trial.

(e) Divorce Causes: Praecipes, Motions to Be Referred to the Friend of Court

All praecipes, noticing motions in divorce, separate maintenance and marriage annulment causes, shall be filed with the Friend of the Court, appointed Deputy Clerk for that purpose. All praeciped motions in such causes shall be referred to the Friend of the Court for investigation and recommendation before being passed on by the Court. Any attorney desiring to object to the recommendation of the Friend of the Court shall serve a written notice of such objection, stating briefly the reasons therefor, both upon the office of the Friend of the Court and upon counsel for the opposite party at least one day before the hearing of the matter. The Friend of the Court shall assume responsibility for the enforcement of all preliminary and interlocutory, as well as decretal, orders in such causes.

(f) Failure to Answer Call

If counsel for the moving party does not appear and answer the call when a motion is called for hearing, not merely the praecipe for the motion shall be dismissed, but the motion itself shall be dismissed without prejudice.

(g) Adjournments; Not More Than Three

Not more than three adjournments of any motion shall be granted, except by order of the Court for good cause shown.

(h) Posting in Clerk's Office of Assignments

Notice of the Judge to whom each ex parte matter, order to show cause, and miscellaneous motion is assigned for hearing, shall be given by posting the same in the office of the Assignment Clerk at least one full day before the day set for the hearing thereof.

(i) Motion to Change Order to Be Assigned to Judge Who Made Order

Amendment to Part 1, Rule 7-J:

All motions to modify orders for temporary alimony, for attachment in divorce cases where probation orders have been entered, for modification or dissolution of injunctions, for quashing writs of capias, and all other motions involving the individual discretion or judgment of a judge, shall be referred to the judge before whom such matter was orginally presented. Whenever any motion has been assigned to a judge for hearing, such judge may retain jurisdiction of such motion until finally decided. Provided, however, that this provision shall not apply to motions in divorce, separate maintenance and marriage annulment cases filed with the Friend of the Court under subdivision F of this rule in which no hearing in whole or in part has been had.

(j) Order to Show Cause

Whenever an order to show cause shall be authorized, before it may be entered by the clerk, there shall be filed with him by the counsel obtaining the order a proper praecipe reciting the hour, day and date at which it is returnable.

(k) Whenever an order has been granted in any chancery proceeding it shall be presented for signature within five days after the granting of the same. If such order is not presented or time extended by the court, it will be considered as abandoned and a new application for such order may be made only to the judge granting the original order, upon such terms as may appear just and equitable.

RULE 8

Pro Confesso Cases

(a) To Be Praeciped for Trial

Pro confesso cases shall be praeciped for trial with the County Clerk and assigned for trial by the Assignment Clerk.

(b) Procedure: Report to Friend of Court, Praecipe, Notice Upon Opposing Counsel

To entitle a pro confesso divorce case to be heard, all affidavits and orders necessary to confer authority and jurisdiction upon the court to proceed to a hearing, including the report of the Friend of the Court, shall be filed with the County Clerk at least four days before the day of hearing, and counsel shall so certify on the praecipe for hearing. Such praecipe shall be filed with the County Clerk at least four days before the hearing. If the defaulted party has appeared by counsel in the cause, four days' notice of the proposed hearing shall be given to such counsel and proof of service of such notice shall be filed at or before the time of hearing.

Provided that, in cases where there is one or more children under sixteen years of age, or in cases where the wife seeks alimony for herself or maintenance for the children, the attorney for the party seeking the divorce shall give written notice to the Friend of the Court of such fact at least three (3) weeks before the date of final hearing, and such case shall not be heard until a final report from the Friend of the Court is filed, including recommendation as to alimony and maintenance for children. If such report recommends the granting of alimony or support money, it shall name the specific amount recommended by the Friend of the Court.

(c) List of Cases

The Assignment Clerk shall prepare a list of pro confesso divorce cases to be heard in the order in which such praecipes have been filed.

RULE 9

Alimony: To Be Made Payable to Friend of Court

(a) All payments of alimony, temporary and permanent, shall be made payable to, and shall be paid to, the Friend of the Court, who shall be deputized as a Deputy County Clerk for that purpose.

(b) In all divorce proceedings where service upon the wife is had by publication or by registered mail, the decree shall expressly reserve the question of alimony.

RULE 10

Attorneys Engaged in Other Courts

When an attorney is engaged in the trial of a case in this Court, the Supreme Court, or the United States Court, no case in which he is engaged in this Court will be taken up until that case is disposed of: Provided, that in cases in which a firm of attorneys are attorneys of record, the Court may require other member of the firm to try the case.

RULE 11

Withdrawal of Files

No file may be withdrawn from the office of the Clerk by any person other than a Circuit Judge. No person other than the Circuit Judges, the County Clerk and deputy clerks shall have access to the file room. No person other than those above named shall examine any file except in the presence of a deputy clerk and after making written application for leave to examine the same. Such application shall become a part of the file in such cause and shall be retained as such.

RULE 12

Suppressed Causes

Whenever requested by either party to any cause or by an attorney of record therein, the County Clerk shall effectually suppress all papers filed in such cause, and shall prevent all persons except parties to the cause or attorneys of record therein, from having access thereto. No person except the parties to a cause or their attorneys of record shall examine or publish in whole or in part any paper so suppressed until such case shall be heard in open court. This order shall supplant the order heretofore made concerning the suppression of papers in causes, except that it shall not in any manner be construed to repeal the previous order or the acts of the County Clerk thereunder in the suppression of any papers heretofore filed.

RULE 13

Depositions, to be Taken Before Opening of Term

All depositions shall be taken and filed in the case before the first day of the term in which such case is tried, except where the necessity for taking the deposition arises after the first day of said term, and then only on leave obtained from the Court on special motion in writing, duly verified.

RULE 14

Advance Memorandum of Records to be Furnished

(a) In building restriction cases a memorandum of the libers and pages of the Register of Deeds records relied upon by the plaintiff in establishing such restrictions shall be prepared and submitted to the opposite side at least ten days before such case is brought on for trial or hearing. Attorneys shall undertake to agree, as far as possible, out of court, upon testimony of this nature.

(b) When any public records are to be used as evidence, the party intending to so use them may prepare a copy, synopsis or abstract of them, insofar as they are to be used, and may present such copy, synopsis or abstract to the adverse party by notice in writing at least ten days before trial, and such copy, synopsis or abstract shall thereupon be admissible in evidence as admitted facts in the case, if otherwise admissible, except insofar as its inaccuracy shall be pointed out, under oath, by the adverse party, in an affidavit filed and served not less than four days before the case shall be called for trial.

(c) When facts capable of exact ascertainment, such for example as measurement of streets, buildings, structures, or objects, natural or artificial, are involved, it shall be the duty of the person intending to rely thereon to give the opposite party a statement thereof, under oath, not less than ten days before case is called for trial, which statement shall be accepted in evidence as admitted facts, except insofar as inaccuracies therein are set forth by the opposite party under oath not less than four days before the case is called for trial.

RULE 15

Examination of Jurors; Methods to Pursue

The voir dire examination of jurors in all cases shall be conducted by the Judge alone, as provided in General Circuit Court Rule 42, Section 1.

RULE 16

Briefs: When to be Filed

Briefs shall be filed within ten days after the hearing or trial is completed, unless further time is expressly allowed by order of the Court.

RULE 17

Moneys Paid Into Court and Withdrawn

No money, excepting cash bonds, shall be accepted by the County Clerk, or any of his deputies, unless ordered by the Court so to do. All moneys withdrawn shall be in conformity with General Circuit Court Rule 62.

RULE 18

Rules of Conduct

(a) Officials, Employees and Jurors

No deputy clerk, deputy sheriff, or other official or employee on duty in the County Building whose position or employment requires the performance of any duty, directly or indirectly, with or for any of the jurors, or with or for any panel of jurors in attendance upon the Court, shall during the period of service of such juror or such panel have any conversation, at any time or place, with such juror or panel or member thereof, except such as necessary social civilities require, and excepting further such as may be necessary for the due transaction of the business of the Court.

(b) Smoking

No smoking shall be allowed in any court room at any time, whether during session of Court or at recess. No smoking shall be allowed in the Supervisors' Room while any case is being tried there.

(c) Card Playing

No card playing shall be permitted in the jury rooms or in the jury assembly room.

(d) Loitering

There shall be no soliciting, loitering or conduct causing a disturbance or congestion in the hallways and rooms adjacent and close to the Court rooms and offices of the Circuit Court Commissioners and clerk to said Commissioners.

Any officer, constable, employee or other person or persons violating this order and rule shall be subject to the penalties of this Court, upon proceedings for contempt thereof.

RULE 19

Official Newspaper

The Detroit Legal News, a daily legal newspaper, published in the City of Detroit, is hereby designated as the paper in which shall be published, daily, the list of cases on call in the Wayne Circuit Court, and also any official court notices.

RULE 20

Court Stenographers

Each court stenographer shall keep a written record of every order given him for a transcript on appeal. He shall include therein a record of the time and the person by whom any request is made to withhold or delay the preparation of any such transcript after the statutory certificate shall have been issued by said stenographer.

Each court stenographer shall promptly give the trial judge written notice of any such order received for transcripts, and also of any such request made.

Court stenographers shall issue statutory certificates only when a wrtiten order for a transcript shall have been received by them.

The record hereby required is to be kept by each court stenographer shall be open to the inspection of the opposite party and his attorney.

RULE 21

Circuit Court Commissioners

(a) The hours of court in the Circuit Court Commissioners' courts shall be the same as the hours of the Circuit Court, which are from 9:30 a. m. to 12:30 p. m., and from 2 p. m. to 4:.5 p. m. daily, excepting Saturday when there shall be one session from 9:30 a. m. to 12 noon, unless otherwise changed by order of this Court.

(b) The Presiding Judge shall assign the Commissioners to the various divisions of the work of the court, to effect an equitable distribution of the work therein.

(c) Each Commissioner shall accept the assignment of sitting in the division of the court having original jurisdiction when so assigned, and each Commissioner shall accept any matter duly referred to him by the Presiding Judge, in accordance with the rules of court, and shall proceed to hearing thereon, and to return his findings of fact and conclusions of law.

(d) Each Commissioner shall keep such record and make such reports of the work of his division as the Presiding Judge may direct.

PART II.

SPECIAL DIVISIONS OF THE COURT

RULE I.

Criminal Division

(a) Who Shall Try Criminal Cases

Amendment to Part 2, Rule 1-A:

The Judge Presiding in the miscellaneous division during the previous half month shall have charge of the criminal docket and shall try criminal cases. Provided, however, that whenever a criminal case has been assigned to a judge for trial, such judge shall have exclusive jurisdiction to finally adjudicate such case, including any new trial or retrial thereof. In all cases where there is more than one respondent, all respondents shall be tried by the same judge.

(b) Visiting Judges Not to Try Criminal Cases

Criminal cases shall not be assigned to visiting judges.

(c) Photographs and Fingerprints of Persons Convicted

After a person has been convicted of, or pleaded guilty to any felony, if such person is in the custody of the Sheriff, the Sheriff shall thereupon cause his finger prints and photographs to be taken; and in all such cases where the person is not in the custody of the Sheriff, and the matter comes to the attention of the Probation Officer, he shall also cause finger prints and photographs to be taken.

(d) Counsel assigned by the Court to defend indigent persons accused of felony violations shall receive for their services from the County Treasurer upon the Certificate of the Trial Judge, in cases of murder, rape, robbery armed, and assault with intent to rob, being armed, not to exceed one hundred dollars. In all other cases, not to exceed the sum of fifty dollars.

Providing, however; that, if in the opinion of the Trial Judge, the maximum fee hereinbefore provided for, is inadequate to justly compensate counsel for his services in a particular case, said Trial Judge may certify such opinion stating the facts therein, together with his recommendation, to the Judges of the Court for their decision.

RULE 2

Chancery, Pre-Trial and Reference Divisions

(a) Reference Docket

The reference docket is called daily before the Presiding Judge at 10:00 A. M.

Such Chancery cases as in the discretion of the Presiding Judge require early or special attention will be called on this docket. Mechanic's Lien, Foreclosures, other than of homestead interests, and cases which may be referred for the taking of testimony, may be praeciped directly on this docket by filing appropriate pink praecipe by either party.

Attorneys must file all discontinuances of these cases with the Clerk of the Presiding Judge.

RULE 3

Pro Confesso Division

All cases on this docket will be assigned from the office of the Assignment Clerk. Attorneys must report there for assignment. No case will be assigned unless file is complete, including the report of the Friend of the Court.

Hereafter cases will be noticed on this Docket in the Detroit Legal News approximately one-half for 9:30 A. M. and one-half for 2:00 P. M.

Attorneys may arrange with the office of the Assignment Clerk for definite hours to suit their convenience.

Attorneys may instruct clients and witnesses to wait for them in the Court Room of the Presiding Judge and accommodation will be made for them accordingly.

RULE 4

Appeal Division

The Appeal Docket is called at 9:30 A. M. before the Presiding Judge. All appeals from subordinate tribunals in this Circuit, immediately after return is made to the County Clerk, are listed for a certain day in the Detroit Legal News, for ten days and assigned for trial; except that appeals from the Justice Court and the Court of Common Pleas taken by plaintiffs will be set down for immediate trial only on motion to advance for cause shown, with supporting affidavits filed in the usual practice of bringing motion to advance before the Court.

The policy of insisting that these cases be tried on the day set will be rigidly enforced.

Attorneys in Appeal Cases are required to file notice of appearance. This is important because without it the Clerk's office cannot notify the proper parties.

RULE 5

No Progress Division

No Progress Docket is called monthly the first of each term before the Presiding Judge, following notice in the Detroit Legal News.

Attorneys desiring to save cases called on the "No Progress Docket" must take the following steps within five (5) days from the date of calling the Docket.

If the Cause Is At Issue

1. Praecipe a motion before the Presiding Judge.
2. File and serve said motion praying that the cause be taken from the "No Progress Docket" and set down for trial;
3. Accompany the same by an affidavit setting forth the reasons for the lack of progress;
4. File a praecipe of "cause ready for trial," with the County Clerk, calling his attention to the fact that the cause is on the "No Progress Docket";
5. File a proof of service of the above motion.

If the Cause Is Not At Issue

1. Praecipe a motion before the Presiding Judge to have the cause continued;
2. File a motion praying for the continuance;
3. Accompany the same by an affidavit setting forth the reasons why the same could not be gotten at issue.
4. File a praecipe of "Cause Ready for Trial" striking out the clause "This Clause Is at Issue," with the County Clerk, calling his attention to the fact that the cause is on the "No Progress Docket."

The Court will then proceed to pass upon these motions without oral argument. Where the cause is at issue, if the motion is granted, the cause will be set down for trial and counsel notified. **Where the cause is not at issue, if the showing seems sufficient, the same will be continued over the term to enable counsel to get the same at issue. If the case is not at issue on the first day of the next term (one month) it will again appear on the "No Progress Docket" to be stricken for failure to prosecute.**

It is intended to call a "No Progress Docket" each term (one month) in accordance with the statute, and the above practice will be followed in disposing of the causes. Counsel's attention is especially called to local Circuit Court Rule 3-B.

RULE 6

Pre-Trial and Conciliation Division

Law cases will be called on this docket sometime before they are regularly reached for trial; for the purpose of settlement, disposition of preliminary motions, framing the issues and trial.

Attorneys should be in court promptly that the call may be conducted without interference with their other court assignments.

PART III.

Suggestions For Attorneys

Attorneys desiring to present requests concerning the call of cases to the Presiding Judge should do so between 9:30 and 10 a. m.

Contested cases assigned to the Presiding Judge from the regular call, will be disposed of daily at 10:30 a. m.

Attorneys will receive notice when their cases are placed in the Detroit Legal News and will receive **no further notice.**

Attorneys must keep track of their cases in the Detroit Legal News and when their cases are reached for trial, **be in court and ready for trial.**

Witnesses may be subpoenaed to the Presiding Judge's Court Room.

No oral argument is had on motions to advance, or to take from the "No Progress Docket."

All matters to be referred to a Circuit Court Commissioner must be assigned by the Presiding Judge.

All papers offered for filing should be properly endorsed and correctly numbered.

No proofs shall be taken in the trial of a cause unless there has been deposited with the clerk of the court the amount of the lawful stenographer, jury and judgment fee. In case it shall subsequently appear inappropriate to enter a judgment in the cause, such judgment fee shall, under the direction of the judge, be returned to the attorney so depositing it. (Michigan Court Rule 37-13).

The County Clerk's office is open from 8:30 o'clock a. m. to 4:30 p. m.

No case is called for trial unless a praecipe for placing the same on call is filed; that the case must be fully at issue before a praecipe may be filed; that, on said praecipe, counsel should see that opposing counsel's name and address is correctly endorsed; that different forms of praecipe are used in law, chancery, appeal, pro confesso, mechanic's lien and mortgage foreclosure cases and that the correct number of the case must appear thereon.

Every juror on the panel has filled out, in his own handwriting, a questionnaire relative to his history and qualifications. These questionnaires are on file in the office of the Assignment Clerk. Trial lawyers are requested to inspect these questionnaires before the examination of the jury. It will save the Court's time and yours. It gives the following information:

Circuit Court—County of Wayne

* QUESTIONS FOR JURY

What is your name? (Print plainly)
When were you born? (Give exact date)
Where do you now live?
Are you a citizen of the United States?
What is your occupation?
Are you now a qualified voter in this state?
How long have you lived in Wayne County?
Have you ever been a party to any suit either civil or criminal?
If so, state the nature and number of each of these suits and in what courts.
Have you ever been convicted of a crime or misdemeanor?
Are you now under indictment in any court?
Is any complaint or information in any court pending against you?
How long did you attend school?
Are you a regular reader of newspapers?
Have you any defects in your hearing?
Have you any defects in your vision?
Is your general health good?
Have you any physical infirmity?
Have you ever served as a juror in a Court of Record?
If so, WHEN and in WHAT COURTS have you ever served?
Have you ever been DISCHARGED (not excused) from Jury service?
If so, for what cause?

Subscribed and sworn to before me this
................day of....................................193.....

....
Deputy County Clerk

(Sign here)..

---

* This blank must be filled out in the Juror's own handwriting.

Probate Court of Wayne County

RULE 1

Papers and the Filing Thereof

All petitions, motions, inventories, reports, accounts and other papers in any matter or proceedings shall be fairly and legibly written in ink or printed, and have endorsed thereon the title of the matter or proceedings in which they are filed, and the character of the paper and the name of the attorney, if any, appearing for the person filing the same; and if not so written or printed and endorsed the judge or register shall refuse to receive and file the same. The judge, register or clerk shall endorse on all the papers filed in the court the date of their delivery to him. See Judicature Act, Chapter 3, Section 10 and Amendments.

RULE 2

Appearance of Attorney

The appearance of an attorney shall be made in writing and filed in the cause in which he appears, unless such appearance is made upon the filing of an original petition upon which his name is endorsed. Judicature Act, Chapter 4, Section 14.

RULE 3

Petitions to the Court

All petitions to the court, except nominations of guardians by minors, shall be duly verified by the person making the same and shall state the facts with common certainty, which show the jurisdiction of the court and the interest of the petitioner and his right to apply to the court. All petitions for any order or relief, or to institute any proceedings in the court, when such facts do not already appear of record in the case, shall state whether any person under the age of twenty-one years, or otherwise incapable of prosecuting or defending himself, has any interest in the subject matter thereof, which may be affected by the order thereon, and the name, age and residence of such minor or other person, when known to the petitioner, and the name of the guardian, if any has been appointed. Judicature Act, Chapter 59, Section 14.

RULE 4

Appointment of Executors and Administrators

A petition for the probate of a will or for administration shall state the name and residence of the widow and heirs-at-law of the deceased, who, if any, are minors or otherwise under disability, and the names and residences of their guardians, if any, in this state, so far as known to the petitioner, or can with reasonable diligence be ascertained. Judicature Act, Chapter 53, Section 1.

RULE 5

Appointment of Guardians

Section 1. **Minors**—A petition for the appointment of a guardian for a minor, shall state the residence and age of said minor, the value and character of his property, and, if not made by a parent of such minor, shall state the name and residence of such parent, or, if neither parent is living, of the next of kin of such minor. When a petition is made by any person other than a parent for the appointment of a guardian for any minor who has a parent or parents who can be found within the jurisdiction of the court, the court shall require at least five days notice to be given to such parent or parents of the time and place when and where the court will hear such petition, unless said parent or parents shall appear and consent, or shall have consented in writing to such appointment.

Section 2. **Incompetent or Insane Persons and Spendthrifts**—A petition for the appointment of a guardian for a mentally incompetent person or for an insane person or for a spendthrift shall set forth the grounds of such application, the names and places of residences of the nearest relatives and presumptive heirs-at-law of such alleged mentally incompetent or insane person or spendthrift. When such application shall be filed the court shall thereupon fix a day of hearing thereon and cause notice thereof to be given to the said alleged mentally incompetent or insane person or spendthrift and to his nearest relatives and presumptive heirs-at-law. Such notice shall be served personally upon the said alleged mentally incompetent or insane person or spendthrift, and upon such of his nearest relatives and presumptive heirs-at-law as reside within the county in which said court is held, at least fourteen days before the day set for hearing. Such notice may be served upon such of the nearest relatives and presumptive heirs-at-law as reside outside of said county by publication for three successive weeks prior to said day of hearing, or by depositing the same in the postoffice in an envelope addressed to such nearest relatives and heirs-at-law at their last known postoffice address. Such envelope shall be duly registered and the time of service shall be increased one day for every hundred miles or fraction thereof between the place of deposit and the place of address. Modified as to notice by Judicature Act, Chapter 58, Sections 1 and 2, Compiled Laws 1915, Sec. 13951. In re Miller's Estate, 173rd of Michigan 467.

RULE 6

Sureties on Bonds

The individual sureties upon the bonds of executors, administrators, trustees or guardians must be residents of this state. They shall justify as to their responsibility when required to do so by the court. Judicature Act, Chapter 63, Sections 1-19, Chapter 58, Section 13.

RULE 7

Sale of Personal Property

When a special license has been granted to sell personal property at public auction or private sale the executor, administrator or guardian making such sale shall within ten days thereafter make and file a duly verified report thereof with the court granting the order for such sale. Judicature Act, Chapter 53, Sections 24-26.

RULE 8

Reports of Sale of Real Estate, Partition and Dower

No order for the confirmation of any report of sale of real estate by an executor, administrator or guardian, or report of commissioner in partition or dower, shall be made until at least eight days after filing such report, unless all parties interested in the estate shall in person or by attorney or guardian, consent in writing to such confirmation, or unless, in the opinion of the court, such delay shall be clearly injurious to the estate. Any person interested therein desiring to object to such confirmation may file objections in writing setting forth the reasons therefor.

This rule has been incorporated in the Judicature Act, Chap. 59, Secs. 1-51, Compiled Laws 1915, Sec. 14009.

RULE 9

Petition for Widow's Allowance

Notice of hearing on a petition for allowance for the support of a widow or minor children shall be personally served upon the executor or administrator of the estate of the deceased at least five days prior to the hearing on such petition, unless such executor or administrator appear in court or in writing waives such notice. Judicature Act, Chap. 52, Sec. 22.

RULE 10

Assignment of Dower

A petition for the assignment of dower shall set forth a full and accurate description of the lands situate in this state, owned by a deceased husband and of which he died seized, from which the petitioner asks to have the dower assigned, the name, age and place of residence of the widow and the names of the heirs-at-law, the time when the husband died, and his domicile at the time of his death; also that her right to dower has not been barred and is not disputed by the heirs or devisees, and that the widow or some other person interested in the land wishes it set apart. In case there be any minors or other persons under legal disability, having no legal guardian other than such widow, no hearing shall be had on the petition until after the appointment of a general guardian or a guardian ad litem for them. Judicature Act, Chap. 51, Sec. 7 and Chap. 57, Sec. 30-33.

RULE 11

Settlement of Administration and Guardianship Accounts

Section 1. **Form**—All accounts of executors, administrators, guardians and trustees shall be made in writing, duly verified, and contain an accurate, itemized statement of all receipts and disbursements, unless all persons interested in said estate shall waive such itemized statement.

Sec. 2. **Notice of Hearing**—Before the allowance of the account of any executor, administrator, guardian or trustee, notice shall be given of the time and place for the examination and allowance of same by publication for three successive weeks, or a personal service of notice thereof upon all the parties interested therein at least ten days prior to the time for such examination, unless such notice shall be waived in writing by all the persons interested therein.

This section modified by Judicature Act, Chap. 52, Sec. 9, Compiled Laws 1915, Sec. 13781.

Sec. 3. **Examination**—Any party interested desiring to contest such account may be required by the court to file objections thereto in writing and serve a copy thereof upon the accounting party or upon his attorney, in case he shall have appeared by attorney, within such time as the court shall direct. It shall be within the discretion of the court in any case and at any time to require an examination of the accounting party with or without application therefor. Judicature Act, Chap. 63, Secs. 1-15.

RULE 12

Guardian Ad Litem, or Next Friend

The court may, when it shall be deemed necessary, appoint a guardian ad litem or a next friend to appear for any minor or other person under legal disability, to represent him in any matter pending before the court, or to prosecute any matter or proceeding in his behalf, with or without notice as the court may direct. Upon the application of such minor or the next of kin of the ward or for any reason in the discretion of the court, such appointment may be revoked and another guardian ad litem or next friend appointed. Judicature Act, Chap. 58, Sec. 21 and Chap. 59, Sec. 36.

RULE 13

How Persons May Be Cited

A citation to any person over whom the court has acquired jurisdiction to account or appear before the court in any case authorized by law may by a citation or order of the court, and by personal service of a copy of such order or citation, or, if the person cited cannot be found within the jurisdiction of the court, by publication of such order, or mailing a copy thereof directed to such person at his postoffice address, if the same can with due diligence be ascertained, postage paid. Such mailing may be proved by affidavit. Judicature Act, Chap. 13, Sec. 37.

RULE 14

Personal Service of Papers

All orders, citations, notices, subpoenas or other papers required to be served personally, may be served by the sheriff or any constable or other suitable adult person, and the service proved by the admission in writing of the person served, or by return of the officer or by affidavit.

RULE 15

Continuance—Adjournment

Any matter noticed for hearing may, by agreement of the parties who appear or in the discretion of the court, be continued to any certain day. Judicature Act, Chap. 3, Sec. 9.

RULE 16

Withdrawals of Files and Records

No records or papers on file shall be withdrawn from the files except for the purpose of proper examination in the office where they are deposited; and they shall not be removed from such office unless entrusted to one of the officers of the court, or a clerk or messenger therefrom, or of another court in which such records or files are required in the trial of a cause. Judicature Act, Chap. 3, Sec. 10.

RULE 17

Enrollment

Section 1. All orders and decrees of the court shall be in writing or printing and signed by the judge. Such original orders or decrees, after being recorded shall be placed in the files of the court. Upon the final settlement of any estate or completion of any proceedings in the court, all petitions, orders, and other papers filed therein shall be arranged and attached in the order in which they are filed, and a certificate of enrollment annexed thereto by the judge, register or clerk of the court.

Sec. 2. In counties having one hundred eighty thousand inhabitants there shall be two judges of probate, and in counties having seven hundred fifty thousand inhabitants, or more, there shall be four judges of probate, two of whom shall be elected at each alternate biennial election for terms of four years, and in counties having five hundred thousand inhabitants there shall be three judges of probate, as hereinafter provided. They shall have equal powers, duties and compensation, except that the power of appointment, nomination and removal of the several employes provided by law for such courts, and the offices connected therewith, and the general direction and control of the business of such court, including the division of the work between the judges, shall be vested in counties have less than seven hundred fifty thousand inhabitants in the judge having served for the longest period continuously, and, in counties having seven hundred fifty thousand inhabitants, or more, in the judge who shall be chosen by the several judges in any such county, or, in the case no judge shall receive a majority vote of such judges, then in the judge of said court selected by the governor: Provided, however, That in counties having seven hundred fifty thousand inhabitants, or more, no judge shall be eligible to serve in such capacity for a longer period than one year during his term of office. A selection as herein provided shall be made within fifteen days of the effective date of this act. The judge so selected shall exercise the duties and powers herein provided until January one, nineteen hundred thirty-four. Thereafter a similar selection shall be held by January fifteenth of each year and the judge so selected shall exercise the powers and duties herein granted for a period of one year from the date of his selection. Whenever the United States census shall show that any county has one hundred eighty thousand inhabitants and has but one judge of probate, the additional office first herein provided for shall be deemed to be created and vacant, and whenever the United States census shall show that any county has five hundred thousand inhabitants and has but two judges of probate, the additional office next herein provided for shall be deemed to be created and vacant, and whenever the United States census shall show that any county has seven hundred fifty thousand inhabitants the additional office next herein provided for shall be deemed to be created and vacant, which vacancy or vacancies shall be filled by appointment of the governor and the person so appointed shall hold office until his successor is elected and qualified. At the next general November election a successor to the additional judge herein provided shall be elected to hold office until the general election following, at which election his successor shall be elected and hold office for the full term of four years from and after the thirty-first day of December following and until his successor is elected and qualified. Nothing contained herein shall be construed to affect the tenure of office of those judges of probate or their successors heretofore elected and qualified: Provided, That any county that has failed to elect an additional probate judge, or judges, under this section, prior to July one, nineteen hundred thirty-two, shall be not entitled to elect any additional judge, or judges, under the provisions of this section.

This act is ordered to take immediate effect.

Common Pleas Court of Detroit

RULE 1

Praecipes

A praecipe shall be filed in every civil action, which praecipe shall be typewritten, shall contain the full name and address of the plaintiff (non-resident or foreign corporation plaintiffs must be shown), the name and address of plaintiff's attorney, if there be one, the full name and address of each defendant, if known, or such other means of identification as shall be effective, the form of action, and in case a transcript, a writ of garnishment upon judgment or a writ of execution is desired, there shall be a signed certificate by an examining clerk that there is no execution outstanding, that the principal case has not been dismissed or appealed and that the judgment has not been paid.

RULE 2

Garnishment Summons

Every summons in garnishment on suit pending shall contain the full name of the plaintiff, the full name of his assignor, if he sue as assignee, the name and address of plaintiff's attorney, if any, and the full name and residence address of the principal defendant if within an incorporated city where such street addresses are in common use, or the post office address if not in such a city or nearby; if the street address is not known, a badge or clock number may be used if the principal defendant may be thus identified; or the branch bank location or such other information as will enable the garnishee to identify the principal defendant as a certain employe or depositor.

RULE 3

Affidavits in Garnishment

No affidavit for a writ of garnishment upon judgment, summons to show cause or for a transcript shall be received for filing until the examining clerk has compared the same with the original file or docket and verified the amount claimed to be due.

RULE 4

Every garnishment file taken into court for judgment shall be accompanied by the file in the principal suit.

RULE 5

Alias Summons

Alias and pluries summons shall be issued by the Clerk as of course, upon the filing of a praecipe therefor, in every case in which it shall appear that the original or alias summons has not been personally served and in which there has been no appearance by the defendant sought, and that the process server has made his return according to law.

RULE 6

Not more than one alias and one pluries summons shall be issued in any case except upon the order of the Presiding Judge or the Presiding Judge pro tempore, and then only after cause shown.

RULE 7

Return Day

The return day of all original summons, writs or other process for beginning cases, shall not be more than 30 days from the date of issue, such return day to be at the option of the plaintiff; Provided, that when funds shall have been garnished and the principal defendant shall appear, waive service and tender a plea, or motion to dismiss or quash, the Clerk shall set a date for trial if the case is at issue, or a date for the hearing of the motion if not at issue, and notify all parties to the action, notwithstanding the return date; this rule being designed to prevent injustice in tying up funds by garnishment longer than is necessary to get the case at issue and adjudicated.

RULE 8

Security for Costs

In every case in which the plaintiff is a non-resident of Wayne County, or is a foreign corporation, no default shall be entered on the return day against any defendant who shall have appeared and demanded security for costs, nor shall default be entered until the plaintiff shall have furnished the security and notified the defendant thereof, and no case shall be adjourned for more than one week to allow the plaintiff to furnish such security. Attorneys should be prepared when entering suit for non-resident or foreign corporation plaintiffs, to furnish security for costs on the return day, if demanded.

RULE 9

Returns

Process servers shall file their returns according to law, failing in which the case shall be dismissed and charges preferred against the offending officer under Rule 32.

RULE 10

All pleadings filed after commencement of suit, all motions, and all returns of process shall be stamped upon receipt with a time stamp showing the date and hour of filing.

RULE 11

Dockets and Executions

The Clerk shall authorize, in writing, certain deputy clerks to sign all dockets and executions, after satisfying themselves that the docket entries are correct, and to approve all praecipes for executions and all affidavits for garnishment upon judgment or for transcripts of judgments, after comparing them with the docket or file in each case to assure themselves that the principal case has not been dismissed, the judgment paid in whole or in part, and that no execution is outstanding. No execution, transcript or writ of garnishment shall be issued if the affidavit does not correctly state the amount due, and no transcript or writ of execution shall issue if an execution is outstanding.

RULE 12

The Clerk shall appoint a deputy or deputies to assist litigants who are not represented by counsel in the preparation of their statements of claim, etc., or their pleas or motions, and shall prepare and issue to each litigant not represented by counsel, a memorandum of instructions as to the production of necessary witnesses, records, etc.

RULE 13A

Plaintiff's Pleadings

In every action in assumpsit instituted by writ of summons, the plaintiff or his duly authorized agent or attorney shall, at the time of instituting such action, file with the

Clerk of the Court, a Declaration in writing and an itemized statement of the damages claimed, setting forth all debits and all known credits or admitted counter claims and/or set-offs.

Whenever such cause of action is based upon a written instrument or written document, a copy thereof shall be attached to and made a part of the declaration as an exhibit, or said copy shall be set forth in the declaration.

RULE 13B

In every action in trespass on the case instituted by writ of summons, the plaintiff or his duly authorized agent or attorney shall, at the time of instituting such action, file with the Clerk of the Court, a declaration in writing which shall set forth the plaintiff's cause of action, with sufficient particularity to apprise the defendant or defendants of the time, place and nature of the wrong or injury complained of, and shall be accompanied by an itemized statement of the damages claimed.

RULE 13C

At the time of instituting every action in assumpsit or trespass on the case by writ of summons, the plaintiff or his duly authorized agent or attorney shall provide a copy of the declaration for each defendant named in said suit, one of which copies shall be served on each defendant with the summons issued in such case.

RULE 13D

The process server shall return to the Clerk of the Court intact the original and all copies of unserved writs or summons with the declaration attached, which copies shall be attached to any alias or pluries summons or writs issued thereafter in the pending case; provided, however, that any process server who shall fail to return such copies of the declaration shall furnish duplicates thereof at his own expense within twenty-four hours after the return date or be debarred from receiving any further process.

RULE 13E

Written instruments sought to be made available under Section 14266 Compiled Laws of 1915 shall be filed with the Clerk of the Court when suit is instituted and the declaration shall contain a notice to the defendant of such filing, together with a true copy of the instrument relied upon. If the defendant shall desire to examine the original instrument he shall demand its production for that purpose and his time for pleading or filing any affidavit denying execution shall be extended until opportunity has been given for such examination.

RULE 13F

In every case in which notice of any special defense is given by the defendant or defendants, such special defense shall be set out in writing, with sufficient particularity to apprise the plaintiff of the full nature of the defense, including the dates, facts and items relied upon, said plea to be filed with the court and served upon the plaintiff.

RULE 14

Warning to Defendants

Every writ of summons in suits for money damages shall contain a warning to the defendant that if he do not appear on or before the return day in the Clerk's office, in person or by representative, the claim may be taken as admitted and default judgment entered against him.

RULE 15

Written Disclosures

Every disclosure in garnishment shall be in writing. If the garnishee be an individual he shall present his written disclosure in the Clerk's office on or before the return day of the writ. If he be unable to prepare it, a clerk shall be assigned to assist him. If the plaintiff in the action shall not be satisfied of the truth of the disclosure, he shall declare against the garnishee as provided by statute, the file shall be sent to the Assignment Clerk, who shall set the case for trial on a day certain, after judgment in the principal case, and notify the parties, who shall try the issue raised by the disclosure already made and the declaration, upon which trial the plaintiff may call the garnishee for cross-examination and examine his records, if he shall have been served with a subpoena duces tecum.

RULE 16

Written Pleas

Pleas shall include an entry of appearance, showing attorney's name and address, and shall be in writing and in duplicate, the copy to be mailed by the Clerk to the plaintiff, or his attorney, if any.

RULE 17

No person not regularly admitted to the bar shall appear as counsel or present any case in this court.

RULE 18

Defaults

At 4 o'clock p. m., on the return day of every case, the clerk shall enter upon the file the default of every defendant who has been regularly served and who has not appeared and pleaded, or given notice of a motion to dismiss or quash, and at any time within seven days thereafter the plaintiff may prove his claim and have judgment before the Presiding Judge, or the Presiding Judge pro tempore, in a sum not exceeding the amount set forth in the statement of claim served with the summons.

RULE 19

No default judgment will be rendered in any sum greater than that named in the statement of claim served with the summons.

RULE 20

Dismissals

All cases in which no progress has been made within seven days after the return day of served writs, and within five days after the return day of the last unserved writ, shall be dismissed by the Presiding Judge.

RULE 21

Payments

No money shall be paid to any judgment creditor by the Clerk except upon the execution of a satisfaction of judgment in whole or in part, signed by the judgment creditor or his attorney of record, and by no other person, as agent.

RULE 22

Releases

Every conditional release of garnishment shall contain the following language:

"Upon payment of dollars to William Teagan, Clerk of the Court, you will be released from further liability,"

together with a warning to the garnishee to verify the signature of the principal defendant.

RULE 23

The Clerk shall specifically authorize in writing certain deputy clerks to sign dockets, executions, appointments of next friends or guardian ad litem, or releases of garnishment.

RULE 24

Process

The Clerk of the Court, or such deputy or deputy clerks as may be specifically authorized in writing by the Clerk, shall sign the name of the Presiding Judge or the Trial Judge upon all process, transcripts, returns on appeal, appointments of next friend, or guardian ad litem and subpoenaes, in the following form:

"John Doe
Presiding Judge, Common Pleas Court"
or "John Doe,
Judge, Common Pleas Court,
By..
Clerk (or Deputy Clerk)."

RULE 25

Only the Presiding Judge, or the Presiding Judge pro tempore, or the judge designated by the Presiding Judge, shall sign any writ of attachment or replevin.

RULE 26

Assignment for Trial

When any case is at issue, it shall be sent forthwith to the Assignment Clerk, who shall set a date for trial, not less than seven nor more than fifteen days thereafter, choosing the trial date to accommodate counsel, if possible, and immediately notify by postal card each plaintiff and defendant, or their attorneys, addressing such postal notices to the addresses appearing in the file in such case. Such postal card notice shall be in the following form, as near as may be:

"COMMON PLEAS COURT.
Dated..

TAKE NOTICE that your case No. .... is set for trial in this court on (day or week) (date). Report at the Office of the Assignment Clerk, Room 111, Wayne County Building, at 9 o'clock a. m. on that date. If the case has been settled and you desire it dismissed notify the Assignment Clerk before the trial date. No case set for trial can be adjourned except by written stipulation or for cause shown upon oath. Bring this card with you.

JOHN DOE,
Clerk, Common Pleas Court."

RULE 27A

The Clerk shall appoint a deputy clerk to be known as the Assignment Clerk, together with such assistants as shall be necessary, which Assignment Clerk shall have charge of the assignment of cases for trial, under the direction of the Presiding Judge, or of the Presiding Judge pro tempore, in his absence.

RULE 27B

At 9 o'clock a. m. on every secular day, the Assignment Clerk shall post the titles of sufficient cases to provide five for each Trial Judge, with the name of the Trial Judge and the number of his court room appended thereto, and at the same time he shall post a list of the remaining cases set for trial for that date, in their numerical order, and he shall furnish to the Detroit Legal News advance copies of such lists.

RULE 27C

It shall be the duty of each court clerk to watch the progress of every trial in the court room to which he is assigned, and when he sees the last case about to be completed, or when ordered so to do by the Trial Judge, he shall at once notify the Assignment Clerk, who shall forthwith assign the next case in order to that court room for trial, first telephoning or otherwise notifying counsel, if any, as hereinafter provided.

RULE 27D

The Assignment Clerk shall, as nearly as may be, apportion the various classes of cases among the various judges, to the end that no judge shall be burdened with or favored by the assignment of any particular class of cases, nor any attorney specializing in any particular form of litigation be permitted to choose the Trial Judge. For this purpose, the Assignment Clerk may pass the case at the head of the list in favor of one farther down the list, if the case at the head of the list be of the same form of action as that last tried by the Trial Judge with an opening.

RULE 28

Cases in which the defendant's wages shall have been garnished shall, upon the trial date, be assigned for trial before any others. Suits for wages shall be assigned next in order, if called to the attention of the Assignment Clerk.

RULE 29

No case in which the ancillary garnishment proceedings shall have involved wages of the defendant, shall be adjourned more than one week beyond the return date of the summons which has been served, or more than one week beyond the date when the principal defendant shall have appeared and joined issue.

RULE 30

Every case in which, upon the trial, a nonsuit shall have been entered, and which shall be started again and issue joined, shall be assigned by the Assignment Clerk to the Judge before whom the former trial was begun.

RULE 31A

Emergency Adjournments

There shall be no emergency adjournment for cause unless the attorney or party desiring the adjournment has notified the opposing attorney or party of the cause for the adjournment before 4 p. m. of the next secular day before the trial day. If the cause for adjournment arises subsequent to that time and before trial is begun, such notice shall not be required but an affidavit shall be filed setting forth the circumstances and showing when the cause for adjournment arose. If the cause be unexpected assignment in a court of record, the affidavit shall show the title and number of the case and the court in which it is pending.

RULE 31B

After the trial of any case has been begun, there shall be no adjournment for any cause except an emergency arising after beginning such trial. If, in the discretion of the Trial Judge after cause shown upon oath as to the emergency, the Judge shall grant the motion for adjournment, he shall enter upon his notes, the cause, the date to which the case is adjourned, and return the file to the Assignment Room. Upon the adjourned day the Assignment Clerk shall send the case to the same Trial Judge for completion. Failure to take depositions or to produce records or any witness, the necessity for which could have been ascertained in advance of trial by reasonable diligence and made available by notice to take testimony, notice to produce, or subpoena duces tecum, shall not be sufficient cause for adjournment after trial has been begun.

RULE 31C

Neither party to an action set for trial shall be required to wait for opposing counsel for any reason, when any Trial Judge is waiting for a case, but the diligent counsel may insist on having his case sent to the Trial Judge for trial or dismissal. If dismissed, he shall be entitled to costs and an attorney fee.

RULE 31D

When all Trial Judges are engaged, counsel in other cases set for trial for that day, but not assigned in advance to a particular judge, need not wait in the assignment room, if they enter into agreement with the Assignment Clerk to hold themselves in readiness to appear upon 15 minutes' notice, and furnish the Assignment Clerk with a telephone number at which they will be in readiness to receive notice. In case of failure of counsel to appear within the 15 minutes after the telephone number has been called, the case shall be sent to the Trial Judge having the first opening, the file to show the hour when missing counsel was called.

RULE 32

Process Servers

Any person who shall consider himself aggrieved because of the conduct of any constable or constables, in connection with process issued out of this court, may file a complaint with the Clerk, which complaint shall be typewritten, in duplicate, and shall set forth the specific misconduct complained of, and shall be signed and verified. The Clerk shall set a date for hearing the charges, serve a copy thereof upon the constable and the charges shall be heard by three Judges designated by the Presiding Judge, each side being permitted to be represented by counsel and have the right to subpoena witnesses. If, upon such hearing, the constable or constables shall be found guilty of malfeasance, misfeasance or nonfeasance in office, he or they shall be debarred from the service of any process for such time as the judges shall decide, not less than 30 days, however.

RULE 33

The Clerk shall provide an index in which shall be kept a record of every writ of execution delivered to any constable, deputy sheriff or attorney, whose receipt shall be taken therefor, which receipt shall be filed under a date 60 days after issue of said writ, and upon said return date, the deputy clerk in charge of said execution index, shall report in writing to the Presiding Judge the name of every constable, deputy sheriff or attorney who shall not have returned the writ delivered to him, and charges shall be preferred as provided in Rule 32, whereupon the judges appointed by the Presiding Judge shall proceed to a hearing of the charges, which shall be prepared and presented by the Clerk. In every case in which the constable shall have failed to return within the time prescribed by law, any writ of execution for which he has receipted, or which may have been delivered to him by any other constable, such constable shall be debarred from receiving any further papers for not less than 30 days. In any case in which a deputy-sheriff shall fail to make return, the Clerk shall prefer charges before the Sheriff of Wayne County, and the offending deputy-sheriff shall be debarred from receiving further process. If any attorney shall fail to make proper return of any writ of execution, he shall be debarred from receiving further writs.

RULE 34

Every constable shall within five days after the receipt of the amount or any part of the amount of any judgment, upon any execution delivered to him, pay the full amount collected, including his costs, to the Clerk of the Court, who shall pay to the constable his lawful fees. If any constable fail to make such payment, the Clerk shall prefer charges against him under Rule 32.

RULE 35

Talesmen

All talesmen shall report to the Presiding Judge or to some Judge by him designated, on the first secular day of each month, for examination, and thereafter, daily, except Saturday, to the same Judge who shall call the roll of jurors at 9 a. m., daily and mark "absent" all jurors who do not respond at that hour.

RULE 36

Jury Trials

Demand for jury must be made within three days after issue is joined, or it will be deemed to be waived. Jury fees must be paid at the time of making demand. Demand for a jury trial shall not be cause for adjournment, it being the duty of the Assignment Clerk to send the jurors to any court room where any case is assigned and in which a jury trial is demanded.

RULE 37

Court Hours

Sessions of the court shall be from 9 o'clock a. m. to 12 noon and from 2 p. m. to 4 p. m. daily, except Saturday, when the sessions shall be from 9 a. m. to 12 noon. The Presiding Judge shall be present every day until 4 p. m., except Saturday, unless the Presiding Judge pro tempore consents to relieve him.

RULE 38

Motions

Every motion, before issue joined, or for a continuance after issue joined and the filing of two stipulations for adjournment, except as specified in Rule 31, section a, shall be in writing, supported by affidavit or affidavits, which motion and supporting affidavits shall be served upon opposng counsel or opposing party if not represented by counsel, personally or by mail, at least two secular days before the date set for decision, and the motion and affidavits, with proof of service, shall be filed with the Clerk before noon of the secular day next preceding the day set for decision. Respondents to such motion shall file their reasons for opposition, in writing, before 9 a. m. of the day set for decision. If law points are involved, memoranda of applicable law may be filed by either side before 9 a. m. of the day set for decision. There shall be no oral arguments unless requested by the Judge deciding the motion. All motions shall be decided upon the day set by proponent unless the court deems it necessary to call for oral argument or further memoranda of the law, in which event the court shall set a further date for decision of the motion, at which time he shall decide the motion and enter such order as shall do justice.

RULE 39

Reports

A court sheet shall be provided for each court room, upon which the clerk assigned to that room shall enter the number of each case, the disposition, the form of action, whether tried by court or jury, whether contested or not, the amount involved as shown by the judgment, or by the affidavit, if in replevin. This sheet shall be made in duplicate, the original to be taken by the court clerk to the Presiding Judge at 4 p. m. each day, the duplicate to be preserved for the use of the Trial Judge. On the last day of each month, the court clerk shall from these sheets compile a monthly summary, which shall be presented to the Trial Judge for his signature and filed with the Presiding Judge before noon on the first secular day of each month, whether or not it has been signed by the Trial Judge. The Presiding Judge shall compile the monthly reports, including his own, with totals and summaries of all work done, on the afternoon of the first secular day of each month, and have them ready for public inspection not later than the second secular day of each month. The Clerk shall before noon of the first secular day of each month, file with the Presiding Judge a statement showing the cases filed during the preceding month, the cases pending at the close of business on the last day of that month, the total money received by the Clerk for filing fees and costs, the total amount paid upon judgments, the cost of maintaining the court, including salaries of judges, salaries of clerks and clerical help, cost of jurors, etc. The Assignment Clerk shall before noon on the first secular day of each month, file with the Presiding Judge a report showing the number of cases at issue pending on the first day of the preceding month, the number of cases disposed of and the number remaining for trial at the close of business on the last day of that month. These data shall be summarized in the monthly and annual reports of the Presiding Judge, with a resume showing the costs of operating the court, and the average cost per case.

RULE 40

Criminal Matters

Criminal matters shall be assigned by the Presiding Judge to each of the Trial Judges in monthly rotation.

RULE 41

Replevin and Attachment

In every action in assumpsit or trespass on the case instituted by writ of attachment and in every action in replevin, the plaintiff may file with the clerk at the time of instituting suit, a written declaration and an itemized bill of particulars, with a copy of every written instrument especially relied upon, if any, together with sufficient copies of such documents to serve every defendant; and in replevin cases and suits begun by writ of attachment in which this rule has been followed, it shall not be necessary for the plaintiff to appear and declare orally or file pleadings at nine o'clock of the return day set in the writ. The defendant's default shall be entered at nine o'clock on the return day unless the defendant shall have appeared and pleaded at that time or theretofore, and the plaintiff may have a judgment entered at any time within seven days after the return day, upon making proper proof.

In replevin suits and in suits started by writ of attachment, if the foregoing rule has not been followed, the plaintiff or his representative must appear and declare or file pleadings at 9 o'clock a. m. of the return day.

Rules of the Juvenile Court

Division of the Probate Court

The Probate Court, in its Juvenile Division, has original jurisdiction in the treatment, control and disposition of dependent, neglected and delinquent children.

Section 1. For the purpose of this act the words "dependent child" shall mean any child under the age of seventeen years, who for any reason is destitute, or homeless, or abandoned, or dependent upon private charity or upon the public for support, or whose mother is unmarried, or is divorced, or is a widow, or has been deserted by her husband for a period of longer than six months, or if her husband has been declared insane, or is feeble-minded or epileptic, or paralytic, or blind, and is confined in a state hospital or other state institution, or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or is an inmate of a hospital for the treatment of insane, who is confined therein for the purpose of being treated for insanity or other diseased mental condition, and is poor and unable to properly care for and support said child. For the purpose of this act the words "neglected child" shall mean any child under the age of seventeen years who has not proper parental care or guardianship, or who habitually begs or receives alms, or who is found living in any house of ill-fame, or with any vicious or disreputable person, or whose home by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such child; and any child under the age of twelve years who is found begging, peddling or singing or playing any musical instrument as a business, or who accompanies or is used in the aid of any person so doing. For the purpose of this act the words "delinquent child" shall include any boy or girl under seventeen years of age, who violates any law of this state, or any city or village ordinance, or who is incorrigible, or who knowingly associates with thieves, vicious or immoral persons, or who is growing up in idleness or crime, or who knowingly visits or enters a house of ill repute, or who knowingly patronizes or frequents any policy shop or place where any gaming device is or shall be operated, or who patronizes or frequents any saloon or place where intoxicating liquors are sold, or who frequents or patronizes any public pool room or bucket shop, or who wanders about the streets in the night time without being on any lawful business or occupation, or who habitually wanders about any railroad yard or track, or jumps or hooks onto any moving train or enters any car or engine without lawful authority, or who habitually uses vile, obscene, vulgar, profane or indecent language, or is guilty of immoral conduct in any public place or about any school house; every child who is vicious, incorrigible, or immoral in conduct, or who is an habitual truant from school, or who habitually wanders about the streets and public places during school hours without any lawful occupation or employment, or who runs away from his or her home, or place where he or she is lawfully employed. Any child committing any of the acts herein mentioned shall be deemed a juvenile delinquent person and shall be proceeded against as such in the manner hereinafter provided. The words "wayward minor" shall mean any person between the ages of seventeen and twenty-one years who either (1) is habitually addicted to the use of drugs or the intemperate use of intoxicating liquors, or (2) habitually associates with criminal, dissolute or disorderly persons, or (3) is found of his or her own free will and knowledge in a house of prostitution or assignation or ill-fame, or (4) habitually associates with thieves, prostitutes, pimps or procurers, or (5) is wilfully disobedient to the reasonable and lawful commands of parent, guardian or other custodian and is in danger of becoming morally depraved, or (6) when not disabled from lawful occupation or study habitually idles away his or her time. The word "child" as used in this act shall mean any person, male or female, under the age of twenty-one years. A disposition of any child under this act, or any evidence given in such case, shall not in any civil, criminal or any other cause or proceeding whatever in any court be lawful or proper evidence against such child for any purpose whatever, except in subsequent cases against the same child under this act.

Section 2. The Probate Court shall have original jurisdiction in all cases coming within the terms of this act, and while proceeding under this act shall be termed Juvenile Division of the Probate Court. In all trials under this act, any person interested therein may demand a jury of six or the judge of his own motion may order a jury of the same number to try the case, and the jury so ordered shall be summoned and empanelled in accordance with the law relating to juries in courts held by justices of the peace: Provided, That in case the judge of probate in any county is so occupied with the duty devolving upon him in the Probate Court as not to have time to attend to the cases arising under this act and shall so certify to the Circuit Court, the circuit judge or one of them in districts where there is more than one circuit judge, to be designated by the judges of said court, shall hear the cases under this act provided to be heard by the judge of probate, but said circuit judge shall not exercise the powers of the Probate Court in such cases for a longer period than two months, unless a new certificate and designation be made, which shall, in like manner, be effective for a like period. Proceedings under this act shall not be deemed to be criminal proceedings.

Section 12835. In all trials under this act any person interested may demand a jury, or the judge may call a jury. The judge may call in the circuit judge if necessary. Proceedings under this act are not deemed to be criminal, and this act shall not prevent the trial by criminal procedure in the proper courts of children over fourteen years who are charged with felony.

Section 12838. Any person may file in the court a petition setting forth, upon knowledge or information and belief the facts as to whether any child, resident in said county is a delinquent, dependent or neglected child, and the court shall at once give notice to the county agent, or to a duly appointed probation officer, to investigate the facts surrounding the case. The county agent makes a report in writing, and the court may then issue a summons reciting the substance of the petition, and requiring the person having the custody of the child to appear at a time and place to be stated, or upon proper showing may require such child to be brought before the court. If the allegations of the petition are sustained, the court may adjudge said child to be a delinquent, dependent or neglected child, as the case may be, and the child may be disposed of as follows:—

(1) Be returned to its parents, guardian or friends;

(2) If the offense be malicious trespass, the court may as a condition of probation require the damage to be made good;

(3) If the offense be larceny, and the stolen property be not restored, the court as a condition of probation may require it to be paid for by the child, if it be shown that it is capable of earning the money, or has money of its own;

(4) The court may place the child on probation for such time, and upon such conditions as the court may determine, and such child so released on probation may be furnished with a written statement of the terms and conditions of release.

(5) The child may be declared a ward of the court as far as its person is concerned, which authority shall continue until the court shall otherwise decree

(6) If the child be found to be wilfully wayward, and unmanageable, and in any case upon the adjudication of delinquency, the court may cause such child, if a boy and between the age of twelve and seventeen years, to be sent to the Boys' Vocational School at Lansing; or if a girl between the age of ten years and seventeen years, to the Girls' Training School at Adrian, or to any state institution authorized by law to receive such child, subject to such conditions as may be provided by law for the reception of said children in said home or institution;

(7) **Sections 7938-7944.** If a child be found to be dependent or neglected, it may be admitted to the State School at Coldwater, between the ages of one and twelve years, provided that children under one year of age and between the ages of twelve and fourteen, may be received by consent of the board of control of such home, and subject to the requirements of the law governing such institution; See Act No. 164, P. A. 1931.

(8) **Section 12840.** If dependent or neglected, the court may make an order committing the child to the care of some suitable state institution, or to the care of some reputable citizen of good moral character or some training school or industrial school, or some association willing to receive it, embracing in its objects or purpose the caring for and obtaining homes for dependent or neglected children, subject to the requirements of law provided for the government of such institutions;

(9) The court shall, where the health or condition of the child require, cause it to be placed in a public hospital, or an institution for treatment or special care, the expense to be paid from the general fund of the county of which the child is a resident.

Section 12843.

Section 10. All children while under orders of the court shall be in the care and custody of the county agent or probation officer or such other person as the court may designate; the court may order the payment of such sums of money as shall be necessary to provide for the proper care and maintenance of such children, the same to be paid out of the general fund of the county; all necessary expenses incurred for the proper care and maintenance of said children while in such custody shall be paid by the county treasurer on the order of the court.

A list of the institutions which have been approved by the State Board of Corrections and Charities will be furnished on application to the secretary of that board.

Re-hearings

Sections 12846-12847.

Section 12-A. The judge of probate shall, upon the filing in said court of a petition in writing and under oath, within ninety days of the making, entering and filing of the original order, sentence or decree, grant rehearing upon all matters coming under the provisions of this act and the judge presiding at said re-hearing may affirm, modify and set aside orders, sentences, commitments and decrees rendered in said court.

Section 12-B. Upon said re-hearing as provided in the preceding section, the judge of probate who heard the case shall be deemed incapacitated to preside at the re-hearing and a circuit judge of the same judicial circuit shall upon notice of said re-hearing sit in said juvenile division and hear said case upon the re-hearing, and the person aggrieved shall have the same right to demand a jury trial as upon the original hearing.

When Probate Judge to Waive Jurisdiction

Act No. 309, P. A. 1931.

Whenever any child under the age of seventeen years is arrested with or without a warrant, such child shall be taken immediately before the Juvenile Division of the Probate Court and the oficer making the arrest shall immediately make and file or cause to be made and filed, a petition against such child as provided by act number six of the Public Acts of 1907, extra session, as amended; and the said court shall proceed to hear and determine the matter in like manner as provided by said act as amended. If, during the pendency of any criminal case against any child in any court in this state having criminal jurisdiction, it shall be ascertained that said child is under the age of seventeen years, it shall be the duty of the court before whom such case is pending to immediately transfer such case, together with all papers connected therewith to the Juvenile Division of the Probate Court. Provided, however, That in any case where a child over the age of fifteen years is charged with a felony the judge of probate may, after investigation and examination, and upon motion of the prosecuting attorney, waive jurisdiction; whereupon it shall be lawful to try such child in the court having general criminal jurisdiction of such offenses.

Mother's Pension

Sec. 12840 Amended by Act No. 3, P. A. 1921, Extra Session. P. A. 1923-A 294; P. A. 33, 1929; P. A. 30, 1931.

Section 7. When any child under the age of seventeen years shall be found to be a dependent or neglected child within the meaning of this act, the court may make an order committing the child to the care of some suitable state institution, subject to the laws and regulations governing such institution, or to the care of some reputable citizen of good moral character, or to the care of some training school, or industrial school, as such provided by law, or to the care of some duly incorporated and licensed association willing to receive it, embracing in its object the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been approved by the state welfare commission: Provided, That if the mother of such dependent or neglected child is unmarried or divorced or is a widow, or has been deserted by her husband, or if her husband has been declared insane or is feeble-minded, epileptic, paralytic, or blind and is confined to a state hospital or other state institution, or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or is the wife of an inmate of some penal institution serving sentence therein for crime, or of an inmate of a hospital for the treatment of insane who is confined therein for the purpose of being treated for insanity or other diseased mental condition, and such mother is poor and unable to properly care and provide for said child, but is otherwise a proper guardian, and it is for the welfare of such child to remain in the custody of its mother, the court after investigation and report by the county agent or the probation officer of the county may enter an order finding such facts and fixing the amount of money necessary to enable the mother to properly care for such child, such amount not to exceed ten dollars per week, and not less than two dollars per week in case said mother has but one child, with an additional sum of two dollars per week for each additional child, thereupon it shall be the duty of the county treasurer of the county of which such child is a resident to pay from the general fund of such county to such mother at such time as such order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court. Such order shall not require the approval of the board of supervisors or county auditor or auditors. The court shall, when the health or condition of the child shall require, cause the child to be placed in a public hospital or in an institution for treatment or special care, or in a private hospital or institution for special care or treatment, the expense to be paid from the general fund of the county of which the child is a resident. The mother of such child or children shall not be entitled to receive the benefits of this act unless or until she has been a resident of the county wherein application is made for a period of one year prior to making such application. A change of residence of such mother from one county to another while receiving such compensation shall not be considered a ground for discontinuing the same until such change of residence has been continuous for one year. During said period of time said mother and child or children shall not be considered as receiving public relief and support by reason of receiving the benefits of this act.

Section 1006. No child under the age of twelve years shall be committed to any jail or police station.

Section 1009. No child found to be dependent, neglected or delinquent under this law shall be indentured, apprenticed, or otherwise disposed of, except as herein provided, and in no case shall any child under the age of seventeen years be placed in any home by indenture, apprenticeship, adoption, or on trial by any person, corporation, or institution, without the written approval of the home, where the child is so placed by the county agent, being filed with the Probate Court of said county.

Medical and Surgical Treatment of Children

Sections 12889-12895.

Whenever any county agent, supervisor, superintendent of the poor, or physician, shall find within his county any child who is deformed, or afflicted with a malady which can be remedied, or is pregnant, and whose parents or guardian are unable to provide proper care and treatment, it shall be the duty of such person to make a report of such condition to the probate judge of the county in which such child resides. If upon investigation the judge of probate is satisfied of the facts set forth in the petition, he may enter an order directing that the child be conveyed to the University Hospital at Ann

Arbor for free treatment, to be paid for by the state. This act provides that the superintendent of the University of Michigan Hospital shall provide for such child a cot or bed, and also designate the clinic to which a patient shall be assigned. Expenses of investigation, the fee of the county agent, at $3.00 per day; and the fee of the physician of $5.00 for making the examination, and all expenses incurred in conveying such child to and from the hospital shall, when approved by the judge of probate, be audited by the auditor general, and paid out of the general state fund.

State Public School at Coldwater

Section 7936. Blanks Nos. 4661 to 4664.

This school was established to provide a temporary home for dependent children, where they shall be retained only until they can be placed in family homes.

Section 7938. This section provides for the procedure for admission when the application is made by the superintendent of the poor in behalf of any child who is dependent upon the public for support, is sound in mind and body and is between the ages of one and twelve years. Upon the filing of such application in the Probate Court, the court shall make an order of hearing and cause notice thereof to be given to the parents. On the day of hearing, the judge may make an order admitting said child to the State Public School.

Since the passage of the Juvenile Law, nearly all orders for admission to this school are made under its provisions.

Section 7943. This section extends the privileges of the school under certain conditions to children under one year of age and between the ages of twelve and fourteen years.

P. A. 1917, P. 373. This act of the legislature, amending Section 12909-R, provides for the admission of dependent crippled children and for the temporary care at said school of blind children under six years of age. Act No. 244, P. A. 1931.

An Act to Provide for the Commitment to State Institutions of Children Released or Committed to Persons, Societies, etc., and Providing for the Payment of the Expenses Thereof

Section 1. Whenever it shall be made to appear to the Probate Court that any child heretofore or hereafter committed or released to any person, society, organization, association or corporation licensed and approved by the State Welfare Commission to receive, maintain and place out for adoption minor children or to obtain homes for dependent and neglected children, is, by reason of mental or physical disability or for any other reason, incapable of adoption, such child may be committed to a proper state institution. Such commitment may be made by the Probate Court for the county in which the principal office of such person, society, organization, association or corporation is located, or for the county in which the child was released or committed to such person, society, organization, association or corporation, or for the county in which such child may be, upon application of the person or the principal officer of the society, organization, association or corporation to which such child has been committed or released. The expense of committing such child to a state institution and any expense chargeable to counties for maintenance in any such state institution, shall be paid by the county where such child was a resident at the time of its release or commitment to such person, society, organization, association or corporation.

Act Providing for Punishment for Enticing Child Away

Section 16737.

Section 30. Every person who shall maliciously, forcibly or fraudulently lead, take or carry away, or decoy or entice away, any child under the age of fourteen years, with intent to detain or conceal such child from its parent or guardian, or from the person or persons who have lawfully adopted said child or from any other person having the lawful charge of said child, shall be punished by imprisonment in the state prison not more than ten years or by fine not exceeding one thousand dollars, or both such fine and imprisonment in the discretion of the court. In case such child shall have been adopted by a person or persons other than its parents, in accordance with the statute providing for such adoption, then this section shall apply as well to such taking, carrying, decoying or enticing away of such child, by its father or mother, as by any other person.

Rules of the Recorder's Court of Detroit

Rules Governing Bail Bonds

RULE 1

All recognizances in misdemeanors, high misdemeanors, and felonies, and all recognizances in habeas corpus proceedings shall be accepted and signed by the Clerk of the Court or by some deputy clerk by him authorized with the approval and consent of the Judges.

RULE 2

All recognizances mentioned in paragraph one shall be made a permanent record and retained in a bound book specially provided for that purpose.

RULE 3

It shall be the duty of such clerk or deputy clerk of the Recorder's Court, before accepting any recognizance to require any person offering himself as principal or surety upon said recognizance and desiring to qualify as the owner of real property on said bond, to secure and file with him his recorded deed to the property offered, and shall make a sufficient showing that the property is not delinquent for the payment of taxes for a period in excess of one year, and shall secure a certificate of the clerk in charge of the Telautograph system bearing the same date as the recognizance bears and showing:

(a) The recorded owner;

(b) All mortgages, mechanics liens, judgments, court bonds, and encumbrances of any kind which appear uncancelled of record;

(c) Any pending action in which the premises pledged are specifically described;

(d) The assessed valuation of the land and buildings as shown by the County Treasurer's Records;

(e) The bond in question.

RULE 4

The assessed valuation of the property as shown by the records of the County Treasurer shall be considered the true value thereof.

RULE 5

No person shall be considered as qualified as principal or surety upon a recognizance in a criminal or habeas corpus proceeding unless the assessed valuation of the property offered by him as security over and above all encumbrances of record and all other uncancelled bonds for which the same property has been previously pledged, is at least equal to the amount of the bond to be secured.

RULE 6

The proposed surety shall execute under oath, at the time of executing the bond, an affidavit of justification as provided by law which oath shall be administered by said clerk or his deputy. This affidavit shall be made a part of the record provided for in paragraph two of these rules.

RULE 7

In all bonds given for appearance in high misdemeanors and felony cases and in habeas corpus proceedings, where the penal amount thereof exceeds the sum of $500.00, it shall be the duty of the clerk of the court to place a lien upon the property pledged, in the form provided by law.

RULE 8

Whenever the conditions of a bond have been fulfilled and the matter in which the bond was given shall have been finally disposed of, it shall be the duty of the clerk of the court to record the cancellation of the bond; and if a lien has been ordered upon the property described in the bond, it shall be the duty of the clerk of the court to formally file a notice of discharge of lien, as provided by law.

RULE 9

In the event of the forfeiture of a recognizance it shall be the duty of the Clerk of the Court to forthwith notify the prosecuting attorney of such forfeiture, and to forward said bond to the prosecuting attorney for collection. The Clerk of the Court shall make a complete memorandum of said forfeited bond in the record provided for in paragraph two of these rules.

RULE 10

Whenever any person against whom a forfeiture has been entered, but judgment has not been taken upon said forfeiture, offers himself as surety upon any recognizance, the Clerk in charge of the Bond Bureau shall advise the judge, who fixed the amount of bail in the cause in which said person offers himself as surety, of the request of that person to be accepted as a surety. Said judge shall have sole discretion in determining whether or not that person shall be accepted as a surety.

RULE 11

If any surety upon any recognizance which has been forfeited, or upon which judgment has been entered, deposits with the Prosecuting Attorney for the County of Wayne the penal amount of said recognizance, he shall not be precluded from executing any other recognizance because of the fact that said forfeiture or judgment is outstanding of record; Provided, however, that the Clerk of the Court shall be furnished with a copy of the receipt of the Prosecuting Attorney before accepting said surety upon any other recognizance.

Rules Governing Assignment of Counsel

Counsel assigned by the Court to defend indigent persons accused of felony violations shall receive for their services from the County Treasurer upon the Certificate of the Trial Judge, in cases of murder, rape, robbery armed, and assault with intent to rob, being amed, not to exceed the sum of eighty dollars. In all other cases, not to exceed the sum of forty dollars.

Provided, however: that, if in the opinion of the trial judge, the maximum fee hereinbefore provided for, is inadequate to justly compensate counsel for his services in a particular case, said trial judge may certify such opinion stating the facts therein, together with his recommendation, to the Presiding Judge of the Court who may allow same or submit the question of the amount of said fee to the Judges of the Court for their decision.

Rules Governing Writs of Habeas Corpus

All petitions for writs of habeas corpus shall be presented to the Presiding Judge. In the case of the absence of the Presiding Judge all such petitions for writs of habeas corpus shall be presented to the Presiding Judge, Pro Tem. In the case of the absence of both the Presiding Judge and Presiding Judge, Pro Tem, such petitions may be presented to any of the other judges of the Court.

Civil Cases

Act 24 of the Public Acts of 1933 conferred upon the judges of this Court concurrent jurisdiction with the Wayne County Circuit judges in civil cases arising within the corporate lmits of the City of Detrot.

Under this Act, all cases are started in the Circuit Court as before and are not assigned to this Court until they are ready for trial.

All records of such civil cases, together with the journals, calendars, etc., are kept, as formerly, by the County Clerk for the County of Wayne.

The Recorder's Court Judges will designate each month which of their members will be available to try civil cases under this Act and those so designated will then be assigned by the State Presiding Circuit Judge to hear civil cases which come under this Act.

The present Recorder's Court jury, stenographers, clerks and bailiffs function on such assigned civil cases as in criminal cases regularly handled in the Court.

As to court procedure, under the Act the Recorder's Court in civil cases is bound by the rules of the Wayne County Circuit Court in their handling of similar cases.

Michigan Accountancy Law

No. 353, Public Acts of 1925
Approved May 27, 1925

Title

An act to establish the Michigan State Board of Accountancy, to grant the board the usual and necessary administrative powers, to define a public accountant, to define the status of a certified public accountant, to prescribe the conditions under which firms and corporations may practice public accounting, to provide for the granting and issuing of certificates to accountants who qualify under the provisions of this act, to provide for revoking and cancelling certificates so issued, to provide an annual registration fee, to regulate the practice of public accounting, to prohibit the practice thereof by non-registered persons, to provide for the employment of non-registered persons, to provide a penalty for violations of its provisions, and to repeal all acts and parts of acts inconsistent with the provisions thereof.

The People of the State of Michigan enact:

Michigan State Board of Accountancy Created—Removal of Members

Section 1. Within sixty days after this act takes effect, the Governor shall appoint four citizens of the United States who are residents of this State, who, together with himself as an ex-officio member, shall constitute and serve as the Michigan State Board of Accountancy, hereinafter called the board. Three members of the board first appointed shall be selected by the Governor from certified public accountants holding certificates obtained in this State, who have been practicing in the State for at least five years, one of whom shall be appointed for a term ending July one, nineteen hundred twenty-seven, one for a term ending July one, nineteen hundred twenty-eight, and one for a term ending July one, nineteen hundred thirty, and, upon the expiration of each of said terms and of each succeeding term, a member shall be appointed for a term of four years. Each successor to these three members shall be selected from certified public accountants holding certificates obtained in this State, who have been practicing in this State for at least five years. One member of this board shall be a practicing attorney, in good standing in the courts of the State, appointed in the first instance for a term ending July one, nineteen hundred twenty-nine and upon the expiration of said term and of each succeeding term, a member shall be appointed for a term of four years, such successors to be practicing attorneys in good standing as hereinbefore mentioned. Each member of the board shall receive a certificate of appointment from the Governor and, before entering upon his duties, he shall file with the Secretary of State the constitutional oath of office. Any member of the board may be removed by the Governor for misconduct, incompetency, or neglect of duty, but only after he has had an opportunity to be heard in his own behalf. Any vacancy that may occur for any cause shall be filled by the Governor for the unexpired term under the same conditions that govern regular appointments. Every member shall hold office until his successor is appointed and qualifies.

Powers—Standard of Professional Conduct

Section 2. The board, being charged with the responsibility for the administration of this act, shall have power to design and use a seal, compel the attendance of witnesses, administer oaths, take testimony and receive proofs concerning all matters within its jurisdiction. It shall formulate rules for its guidance, not inconsistent with the provisions of this act, and print the same for distribution. It may prescribe a standard of professional conduct and formulate reasonable rules defining unethical practice for public accountants: Provided, however, That before they are officially printed, as provided for in section fourteen, a copy of the same and of any changes or amendments which may be thereafter proposed shall be mailed to every holder of a certificate issued under the provisions of this act at least sixty days prior to a date named, at which date an open hearing shall be held by the board for the purpose of receiving and considering objections to any of the suggested provisions. Every person practicing as a public accountant in the State, as described in section eight, shall be governed and controlled by the rules and standards adopted by the board.

Officers

Section 3. The board shall annually elect one of its accountant members as chairman, one as vice-chairman, and one as secretary-treasurer, while the lawyer member shall be designated as counsel. It shall make an annual report to the Governor. It shall keep all applications filed, all documents under oath, a record of its proceedings, and shall maintain a register of the names and addresses of all persons applying for, and of those receiving certifictes under this act, any of which, or a certified copy thereof, shall be prima facie evidence of all matters covered by them.

Quorum—Meetings

Section 4. Three members shall constitute a quorum at any meeting of the board for which a notice of three days has been given by the chairman or secretary. If less notice is given, four members must be present. Meetings, at which examinations will be given, shall be held at least twice each year. The times and places for holding said examinations shall be advertised at least three consecutive days in daily newspapers published in five different cities, at least thirty days prior to the dates of such examinations, and notices of the same shall be mailed to all certificate holders and to all applicants for certificates under this act. The board may require applicants to appear in person to answer questions or produce evidence to sustain facts which will determine whether the qualifications of the applicant are as prescribed by this act and the rules of the board.

Fees—Compensation

Section 5. The board shall charge each applicant for any certificate a fee of twenty-five dollars. The fee shall accompany the application, which must be made on a blank provided by the board. All money received by the board shall be paid into the State Treasury. The members of the board shall receive as compensation for their services ten dollars per day for the time actually spent, and the necessary expenses incurred in the discharge of their duties as such members. All bills for compensation and expenses shall be allowed in open meeting of the board and referred to the State Officials for payment in the manner prescribed by law. All money paid into the State Treasury in any year in excess of expenditures shall be noted in the budget required by the accounting system of the State.

Registration Cards

Section 6. The board shall, in December of each year, issue a registration card to any holder of a C. P. A. certificate or to any holder of a certificate of authority, which card shall be good until December 31st of the next succeeding year, charging therefor a fee of five dollars. A registration card shall also be issued to any firm or corporation which has complied with the provisions of section twelve or section thirteen, for which a fee of five dollars shall be charged. Interim registrations shall be issued to individuals, firms, and corporations who have complied with the provisions of this act within the year.

Annual Register—Register Distribution

Section 7. The board shall, in January of each year, prepare a printed register which shall contain, following a copy of this act, an alphabetical list of the names, certificate numbers, business connections and addresses of all certified public accountants to whom such registration cards have been issued for that year, and an alphabetical list of the names of the firms of certified public accountants to whom such registration cards have been issued for that year, together with an alphabetical list of the names, certificate numbers, business connections and addresses of all holders of certificates of authority to whom such registration cards have been issued for that year, and an alphabetical list of the firms and corporations practicing public accounting to whom such registration cards have been issued for that year. A register shall be mailed to every person listed therein, to every county clerk, probate clerk, circuit court clerk, and bank cashier in the State, and to such other person or concern as the board, in its discretion, may determine is for the public welfare. This register shall contain at the beginning the following statement: "Any person receiving this list is requested to send to the Secretary of the Michigan State Board of Accountancy the name and address of any person, firm, or corporation, known to be practicing as a public accountant whose name does not appear in this register. The names of persons giving such information will not be divulged." Failure to secure a registration card for any year shall not disqualify the holder of a certificate from securing a card for a future year, if the certificate holder decides to return to the practice of public accounting. When registration cards are secured after the annual register is issued, such individuals shall not be subject to the penalty prescribed in section twenty-four or section twenty-five, provided the cards were secured prior to charges having been preferred against them that they were practicing unlawfully.

Who Deemed Public Accountants

Section 8. A person, either individually, or as a member of a firm or corporation, shall be deemed to be in practice as a public accountant, within the meaning and intent of this act:

(a) Who holds himself or herself out to the public in any manner as one who is skilled in the knowledge, science, and practice of accounting, and as qualified to render professional service therein as a public accountant for compensation; or

(b) Who maintains an office for the transaction of business as a public accountant, or who, except as an employee of a public accountant, practices accounting, as distinguished from bookkeeping for more than one employer; or

(c) Who offers to prospective clients to perform for compensation, or who does perform on behalf of clients for compensation, professional services that involve or require an audit or verification of financial transactions and accounting records; or

(d) Who prepares or certifies for clients, reports of audits, balance sheets, and other financial, accounting and related schedules, exhibits, statements, or reports which are to be used for publication or for credit purposes, or are to be filed with a court of law or with any other governmental agency, or for any other purpose; or

(e) Who, in general or as an incident to such work, renders professional assistance to clients for compensation in any or all matters relating to accounting procedure and the recording, presentation and certification of financial facts.

Illegal Practice

Section 9. No person may legally practice in this State as a certified public accountant or as a public accountant, either in his or her own name, under an assumed name, as a member of a firm, as an officer of a corporation, or as an employee, except as provided in section twenty-seven, unless he or she shall have been granted a certificate by the board and secured a registration card for the current year.

Title Used

Section 10. Any person who has received from the board a certificate of his qualifications to practice as a certified public accountant, as hereinafter provided, shall be styled and known as a "certified public accountant" and no other person shall assume to use such title or the abbreviation "C. P. A." or any other word, words, letters, or figures to indicate that the person using the same is a certified public accountant. The terms "chartered accountant" and "certified accountant" and the abbreviation "C. A." are specifically prohibited as being prima facie misleading to the public. Any person who has received from the board a certificate of authority, as hereinafter provided, shall be styled and known as a "public accountant" and no other person, other than a certified public accountant, shall assume to use such designation to indicate that such person is entitled to practice as a public accountant.

Advance Registration

Section 11. All persons practicing individually or under an assumed name, and all firms, and all corporations engaged in public accounting in the State of Michigan, at the date of the passage of this act, and intending to continue to so practice, must register with the board, before January one, nineteen hundred twenty-six, giving the names and addresses of every person practicing as principal or under such assumed name, the names and addresses of every member of the firm, and the names and addresses of every officer of the corporation, together with the names and addresses of all persons in their employ in the State at that date who hold C. P. A. certificates. No charge shall be made for this registration.

Firm Registration

Section 12. Any firm, every member and resident manager of which is a certified public accountant, after registering the firm name with the board, may use the designation "certified public accountants" in connection with the firm name: Provided, That whenever the firm name is so used, except in directory listings, the names of all members and managers thereof, resident in the State, shall be indicated and the names of members not resident in the State may be indicated if such members hold certificates issued by the board. When firms so registered secure annual registration cards, the name of the firm shall be listed in the annual register together with the names of the members and managers thereof, resident in the State, with the designation C. P. A. after each name, and the names of non-resident members who hold certificates issued by the board may also be listed. All other firms may use the designation "public accountants," in connection with the firm name, provided that whenever the firm name is so used, except in directory listings, the names of all members and managers thereof, resident of the State, shall be indicated if such members hold certificates issued by the board. When firms so registered secure annual registration cards, the name of the firm shall be listed in the annual register together with the names of the members and managers thereof, resident in the State, every certified public accountant being indicated by the initials C. P. A. and the names of non-resident members who hold certificates issued by the board may also be listed. An assumed name, in use prior to the passage of the act may be used the same as a firm name provided the individual persons practicing as principal under that name hold certificates issued by the board and provided such persons have complied with act number one hundred one of the Public Acts of nineteen hundred seven.

Corporations

Section 13. Any corporation, organized under the laws of this State, which was, under the authority of its articles of incorporation and in accordance with the laws of the State, practicing public accounting, as described in section eight, in the State at the date of the passage of this act, may apply for a certificate of authority to practice public accounting and the board shall issue one in accordance with the provisions of this Act. Such corporations may use the designation "public accountants" in connection with the corporate name: Provided, That whenever the corporate name is so used, except in directory listings, the names of the president, secretary, and manager of its public accounting department shall be indicated, at least one of whom shall be a certified public accountant. When corporations so registered secure annual registration cards, the names of the corporations shall be listed in the annual register together with the names of the president, secretary and manager of its public accounting department, every certified public accountant being indicated by the initials "C. P. A."

Rules Printed—Oath

Section 14. If and when the board shall have prescribed a standard of professional conduct or shall have formulated reasonable rules defining unethical practice for public accountants, the same shall be printed as part of the application blanks for both certificates and registration cards and every applicant for either a certificate or registration card shall subscribe to the same when making application. Before the board issues a certificate to any person under this act, such person shall file with the board the following oath or affirmation, which shall be taken before an officer authorized to administer oaths: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State, and that I will faithfully perform and discharge the duties of a certified public accountant (or public accountant) to the best of my ability and in accordance with the law."

General Qualifications

Section 15. Applicants for a certificate as a certified public accountant, or for a certificate of authority, must be citizens of the United States, or persons who have declared their intention of becoming such, who reside within the State or who have an office for the regular transaction of business therein, who are over the age of twenty-one years and of good moral character. Applicants who have declared their intention of becoming citizens and who pass the examination shall be granted a certificate of authority valid, subject to the annual registration, for a period of six years from date of such declaration of intention. When evidence is furnished the board that citizenship is completed, the certificate of authority shall be cancelled by the board and a certificate as a certified public accountant issued therefor. If evidence is not furnished that citizenship is completed, the certificate of authority shall be revoked and cancelled. The board shall have power to extend the certificate of authority if a sufficient cause for delay is shown.

Educational and Experience Requirements

Section 16. Applicants for a certificate as a certified accountant must have completed at least a four year high school course of study or have received an equivalent education prior to the date of application, the value of the equivalents offered to be determined by the board. Said applicants must have had at least four years continuous practical experience in public accounting immediately preceding the date of application, the efficiency of the experience to be judged by the board. The board may accept evidence of sufficient technical education in accountancy in lieu of one year of public accounting experience, and the requirement as to continuous experience immediately preceding the date of application may be waived if the applicant has had six years of practical experience in public accounting, the last year of which immediately preceded the application.

Examination Subjects

Section 17. The board shall issue a certificate as a certified public accountant to each applicant who passes a satisfactory examination in theory of accounts, practical accounting, auditing, commercial law, economics and public finance, and in any other related subjects which the board may deem it advisable to give, provided the applicant has complied with the requirements of this act and the rules of the board.

Practical Experience

Section 18. Whenever the holder of a certificate of examination issued by the board under the provisions of section twenty-two has had at least two years' continuous practical experience in public accounting, the efficiency of which shall be judged by the board, an application may be filed accompanied by the regular fee, and, if a satisfactory examination is passed in practical accounting and public auditing, the board shall issue the applicant a certificate as a certified public accountant, provided the applicant has complied with the requirements of this act and the rules of the board.

Licenses of Other States

Section 19. The board may, in its discretion, issue a certificate as a certified public accountant, to any applicant who holds a valid and unrevoked certificate as a certified public accountant issued by or under the authority of another state or political subdivision of the United States, or who holds a valid and unrevoked certificate as a chartered accountant issued by or under the authority of a foreign country, provided the applicant has complied with the requirements of this act and the rules of the board, and (a) the original certificate was secured as the result of an examination which in the judgment of the board was the equivalent of the standard established by it or (b) the holder has been maintaining an office for the practice of public accounting under the authority of such certificate for a period of ten years.

Certificates of Authority

Section 20. The board shall issue a certificate of authority to practice as a public accountant to each applicant before January one, nineteen hundred twenty-six, who furnishes satisfactory evidence that she or he was maintaining an office in the State for the practice of public accounting on his or her own account at the date of the passage of this act, and has been in continuous practice, during the whole or a portion of the regular business hours of each day, as a public accountant in the State since that date, or, that he or she has been in responsible charge of accounting engagements as an employed member of the staff of a certified public accountant, or of a public accountant, or of a firm of public accountants, or of a corporation practicing public accounting in the State, for a period of at least four years immediately prior to the passage of this act.

Information Required

Section 21. The board shall require the same information from each applicant for a certificate of authority as it requires from an applicant for a certificate as a certified public accountant. Applications for certificates of authority shall comply with the requirements of this act and the rules of the board, in so far as they are applicable. No certificate of authority shall be granted after January one, nineteen hundred twenty-six, except as provided in section fifteen, to persons who have passed an examination as a certified public accountant and who have not yet secured their full citizenship papers. Certificates of authority confer the legal right to practice as a public accountant but do not confer any added title or designation.

Certificate of Examination

Section 22. The board shall issue a certificate of examination to each applicant who successfully passes the prescribed examination in theory of accounts, cost accounting, commercial law, auditing, economics and public finance, and in any other related subjects which the board may deem it advisable to give, provided the applicant is a citizen of the United States, twenty-one years of age, a resident of the State, of good moral character, a graduate of a high school with a four year course of study or has received an equivalent education, and is either a graduate from a four year college or university course in business administration of a standard grade, or its equivalent, or has had four years of practical accounting experience of a character needed to qualify one to act as an internal auditor, the board to judge as to the educational and experience qualifications. Certificates of examination shall not confer any added title or designation but permit the holder to take the examination provided in section eighteen for a certificate as a certified public accountant when he or she has had at least two years continuous practical experience in public accounting, the efficiency of which shall be judged by the board.

Confidential Information

Section 23. Except by written permission of the client, or person, or firm, or corporation employing him, or the heirs, successors or personal representatives of such employer, a certified public accountant, or a public accountant, or a person employed by a certified public accountant or by a public accountant shall not be required to, and shall not voluntarily, disclose or divulge information of which he or she may have become possessed relative to and in connection with any examination of, audit of, or report on, any books, records, or accounts which she or he may be employed to make. The information derived from or as the result of such professional service shall be deemed confidential and privileged: Provided, however, That nothing in this paragraph shall be taken or construed as modifying, changing or affecting the criminal or bankruptcy laws of this State or of the United State.

Who May Be Guilty of Misdemeanor—Penalty

Section 24. Any person:

(a) Who shall use any other term than certified public accountant, or the abbriviation C. P. A., to indicate that he or she is a public accountant with a specially granted title; or

(b) Who shall announce by printed or written statement that he or she holds membership in any society, association or organization of professional public accountants, unless such society, association or organization has been officially recognized by the board; or

(c) Who shall, when practicing under an assumed name, or as a member of a firm, or as an officer of a corporation, announce, either in writing or by printing, that the assumed name, firm, or corporation is practicing as a certified public accountant; or

(d) Who shall, as a member of a firm announce, either in writing or by printing, that the firm is practicing as "certified public accountants" unless all members of the firm and the resident managers are holders of valid and unrevoked certificates issued by or under the authority of a State or other political subdivision of the United States, and the firm is registered with the board; or

(e) Who shall, as a member of a firm, announce, either in writing or by printing, that the firm is practicing as "public accountants" unless all members and managers of the firm, resident in the State, are holders of certificates granted by the board and the firm is registered with the board; or

(f) Who shall, as an officer of a corporation, permit it to practice as a public accountant unless it is registered with the board, has received a certificate of authority from the board, and either the president, secretary, or manager of its public accounting department is the holder of a certificate as a certified public accountant; or

(g) Who holds himself or herself out to the public as a certified public accountant or who assumes to practice as a certified public accountant unless he or she has received a certificate as such from the board; or

(h) Who holds himself or herself out to the public as a public accountant or who assumes to practice as a public accountant unless he or she has received a certificate of authority from the board; or

(i) Who shall practice as a certified public accountant or as a public accountant after his or her certificate has been revoked; or

(j) Who shall practice as an individual, or, as a member of a firm or as an officer of a corporation, practice or permit the firm or corporation to practice as a certified public accountant or as a public accountant unless a registration card has been secured for the current year; or

(k) Who shall sell, buy, give or obtain an alleged certificate as a certified public accountant, or a certificate of authority, or a registration card in any other manner than is provided for by this act; or

(l) Who shall attempt to practice as a certified public accountant or as a public accountant under guise of a certificate not issued by this board, or under cover of a certificate obtained illegally or fraudulently; or

(m) Who shall certify to any false or fraudulent report, certificate, exhibit, schedule or statement; or

(n) Who shall attempt by any subterfuge to evade the provisions of this act while practicing as a public accountant; or

(o) Who shall, as an individual, or as a member of a firm or as an officer of a corporation, permit to be announced by printed or written statement that any report, certificate, exhibit, schedule or statement has been prepared by a cerified public accountant or by a public accountant when the person who prepared the same was not such certified public accountant or public accountant, shall be deemed guilty of a misdemeanor, the penalty for which shall be not more than five hundred dollars for each offense, or imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment at the discretion of the court.

Revocation of Certificate

Section 25. Any certificate or registration card issued by the board may be revoked and cancelled, or suspended for a definite period, or the holder thereof may be officially censured by the board after a hearing, for reasons indicated in section twenty-four, or for unprofessional conduct, or for unethical practice, or for any other sufficient cause, or it may direct that action at court be brought or it may both revoke, suspend, or censure and institute action at court: Provided, That written notice shall have been mailed to the holder of such certificate, at his last known address, at least thirty days before any hearing thereon, stating the charge which has been preferred and appointing a time for a hearing by the board. At all such hearings, the Attorney General of the State, or an assistant designated by him, shall be present and represent the interests of the public. The certificate holder shall have the right to be represented by counsel. No action of said board, however, revoking, cancelling or suspending such certificate or registration card, for any offense other than those enumerated in section twenty-four upon which there shall have been a prior conviction unappealed from, shall be operative if the person, firm or corporation whose certificate or registration card shall have been so revoked, cancelled or suspended, shall file in the chancery division of the circuit court of the county of which such person, firm or corporation is a resident or maintains an office, a petition setting forth the facts of such revoking, cancelling or suspending of such certificate or registration card, and praying the court for a hearing on the charges preferred against the holder of such certificate or registration card, and praying for an order to show cause directed against said board and requiring said board to appear and plead to said petition in the same manner as in actions in chancery in circuit courts. Said matters shall thereupon proceed to hearing and decree the same as in actions in chancery in circuit courts. The burden of proof of such charges shall be upon said board. At all such hearings the Attorney General of the State, or an assistant designated by him, shall be present and represent the interests of the public. The costs of the prevailing party may be taxed as the court may deem just and right under the circumstances. If the prayer of such petition be granted, the action and order of said board revoking, cancelling or suspending such certificate or registration card, shall thereupon become void and of no effect. If the prayer of said petition be denied, the action and order of said board shall become valid, effective and enforceable.

Presumptive Evidence

Section 26. The display of a card, sign, advertisement, a directory listing, or the issuance of a letterhead bearing a person's name as a practitioner of public accounting as described in section eight, shall be presumptive evidence by implication, in any hearing or prosecution against such person, that the person whose name is so carried thereon is responsible for the same and that he or she is announcing himself or herself thereby to practice public accounting. In any hearing or prosecution under this act, the proof of a single act prohibited by law shall be sufficient without proving a general course of conduct.

Exemptions

Section 27. Nothing contained in this act shall apply to holders of State granted C. P. A. certificates from other states who may be temporarily in this State on professional business incident to their regular practice in the states of their domicile, but with neither residence nor office in this State. Nothing contained in this act shall prevent the employment by a certified public accountant or by a public accountant, or by a firm or corporation furnishing public accounting services as principal, of non-registered persons to serve as accountants in various capacities as needed: Provided, That such non-registered persons work under the control and supervision of certified public accountants or accountants with certificates of authority: And provided further, That they do not issue any statements or reports over their own names, except such office reports as are customary: And provided further, That such non-registered persons are not in any manner held out to the public as public accountants as described in section eight.

Nothing contained in this act shall imply that a practicing attorney, who, in connection with his professional work, prepares reports or presents records of a form or character usually prepared and presented by accountants, has become a public accountant within the meaning of this act as described in section eight.

Nothing contained in this act shall apply to any person who may be employed by more than one person, firm or corporation, for the purpose of keeping books, making trial balances or statements and preparing audits or reports, provided such audits or reports are not used or issued by the employers as having been prepared by a public accountant.

Previous Certificates

Section 28. The provisions of this act shall not be construed to invalidate any certificates heretofore granted under act number ninety-two of the Public Acts of nineteen hundred five or act number two hundred forty of the Public Acts of nineteen hundred thirteen, or as amended by an act approved May second, nineteen hundred seventeen, except that all certificates of registration and of authority issued under the provisions of those acts are hereby revoked and cancelled and the board is directed to issue to the holders thereof, in exchange therefor, certifictes as certified public accountants, making no charge therefor.

Saving Clause

Section 29. Should the courts of this State or the United States declare any provision of this act unconstitutional, illegal, or void, such decision shall not invalidate any other provision of this act.

Repeal

Section 30. All acts or parts of acts in anywise inconsistent herewith are hereby repealed.

CLASSIFICATION OF ACCOUNTANCY SERVICES

The American Society of Certified Public Accountants, the national organization of State granted C. P. A. certificate holders, has prepared the following report on the various types of services rendered.

INTRODUCTION

The report herewith presented contains a statement classifying, defining, and differentiating the various classes of services rendered by the profession of accountancy. Briefly, it is a Classification of Accountany Services.

No claim is made for the perfection of the classification. It was evolved from a study of five thousand engagements as they flowed through a practice office. It has been tested by application to twenty thousand additional engagements. Minor changes only resulted from the tests. Therefore, the classification bears the stamp of practicability.

The need for a classification of this character becomes increasingly apparent as accountancy assumes a place of increasing importance in affairs of the business world. So numerous have become the outside interests which are concerned with accountancy and its products, that common understanding as to its functions, capabilities, duties, and responsibilities are vital to the progress, success, and peace of the profession.

A classification of accountancy services affords an intelligent basis for action in the following respects:

1. Negotiating with clients and arriving at a clear understanding as to the service to be rendered.
2. Administering practice: planning and supervising field work, reviewing reports, correspondence, judging performance on the part of members of the staff, compiling statistics of operation.
3. Contact with other professions or lines of activity: attorneys, bankers, credit men, engineers, appraisers, investment houses, etc.
4. Litigation, threatened litigation, controversies with clients concerning negligence, etc.
5. Publicity concerning the certified public accountant and his work.

Instances are numerous of time and effort economized and of friction avoided by partners, principals, and staff, through the use of a common language afforded by the classification.

The classification should serve not only as a means of assistance to the profession, but as a guide in the formulation of study courses designed for students who are preparing to enter the profession.

CLASSIFICATION

The first five sections below relate to classes of service in which audit and examination procedures are the essential characteristics. Such services constitute the major part of accountancy practice. The sixth section contains information dealing in a more general way with a variety of services which may be rendered.

Auditing, as used in a professional sense, may be defined as the procedure whereby one undertakes to pass judgment on the correctness of financial statements and accounts, by scrutinizing accounts, vouchers, documents, and other supporting records and data, corresponding, if necessary, with independent third parties, and orally questioning officials and employes.

Auditing procedure may be used in connection with financial balances at the end of a given period and the financial transactions, for the period, which culminate in those balances at the end of a period.

The term "transactions," as used herein, is intended to mean any changes affecting the accounts during a period. Accounts relating to income, expense, profits, and losses will be referred to as "operating accounts;" the transactions relating thereto as "operations;" those relating to cash receipts and disbursements as "cash transactions."

A report usually is submitted at the conclusion of an audit or examination. A report presents the accountant's findings and conclusions, and may contain an expression of the accountant's opinion in a formal statement commonly known as a certificate, either as part of the report itself or appended to the financial statements.

While the engagements which constitute the major part of accountancy practice probably will fall into the first four classes suggested, it must be recognized that there will be instances in which the wishes of clients will dictate specifications of service which may overlap the clean-cut lines which have been set up to distinguish one type of service from others. It should be obvious, of course, that any suggestions for the guidance of practitioners in arranging undertakings with clients cannot be permitted to interfere with the free operation of a client's wishes with respect to the service to be performed.

Section I. Examination of Financial Condition and Detailed Audit of Transactions for a Period. Short Title—Detailed Audit:

A detailed audit, sometimes referred to as a complete audit, has as its purpose verification by audit procedure of the correctness of the assets, liabilities (actual and contingent), reserves, capital, and surplus as at a balance sheet date and of all transactions for a period ended on the balance sheet date.

The audit report, addressed to the client, may take the form of a balance sheet, and a statement or statements of income and surplus for the period together, with comments in which a certificate may be incorporated. The certificate may be appended to the financial statements, provided that any essential qualifications are incorporated in the certificate.

Section II, Examination of Financial Condition and Audit Tests of Transactions for a Period. Short Title—Test Audit:

A test audit has as its purpose verification by audit procedure of the correctness of the assets, liabilities (actual and contingent), reserves, capital, and surplus as at a balance sheet date, and selective audit tests of the transactions for a period ended on the balance sheet date. The character and extent of the tests will be governed by the circumstances of each case and should be so designed as to satisfy the auditor of the general correctness of the recorded transactions for the period, although such tests will not necessarily disclose every irregularity.

The audit report, addressed to the client, may take the form of a balance sheet, and a statement or statements of income and surplus for the period, together with comments in which a certificate may be incorporated. The certificate may be appended to the financial statements, provided that any essential qualifications are incorporated in the certificate.

Section III. Examination of Financial Condition and Review of Operations:

An examination of financial condition and review of operations while applicable to engagements other than those involving financing arises frequently in connection with the proposed issuance of securities, as in financings, mergers, consolidations, reorganizations, etc. This type of service has as its purpose substantiation by audit procedure of the correctness of the stated assts, liabilities (actual and contingent) reserves, capital, and surplus as at a balance sheet date, together with analytical review, comparision, investigation of questionable matters, statistical and other tests of the income, expense, profits and losses for a period (usually three to five years) ended on the balance sheet date.

The particular object of this type of service is to substantiate the representations made in respect to the organization under examination, with a view to determining that there is no overstatement of net assets or of net profits; that the net assets and net profits are at least as good as represented. It is not designed to detect lapses of fiduciary integrity or any understatement of assets which may have been concealed in the operating accounts.

An examination of financial conditions and review of operations is distinguished from a test audit by omission of the audit of cash transactions, and by analytical study, comparison, investigation, statistical and other tests of the income, expense, profits and losses rather than by selective audit tests of the transactions reflected in those accounts.

The report on an examination of financial condition and review of operations, addressed to the client, usually contains a balance sheet, a statement or statements of income and surplus, a certificate, and, when used in connection with the issuance of securities, usually contains statistical and other explanatory data which will be of assistance in interpreting the financial history and status of the company under review. Such report frequently is supplemented by a statement, or statements, duly certified, giving effect to financial transactions consummated, or to be consummated, subsequent to the date of the balance sheet. Transactions to which effect is given in the supplementary statements should be adequately confirmed.

Section IV. Examination of Financial Condition:

An examination of financial condition has as its purpose substantiation by audit procedure of the correctness of the stated assets, liabilities (actual and contingent), reserves, and capital at a balance sheet date, and an analysis of surplus, including as an incident to the substantiation of the balance sheet accounts, examination of such transactions at or about the balance sheet date as may affect the stated financial condition.

This type of service, while requiring examination of the records with a view to substantiating the assets as stated and affording reasonable assurance that there are no liabilities (actual or contingent) other than those stated, does not include audit of cash transactions, such as is required in a test audit, or review of the income, expense, profits and losses, as is required in an examination of financial condition and review of operations, and may not be relied upon to disclose lapses of fiduciary integrity or any understatement of assts which may have been concealed in the operating accounts.

A report on an examination of financial condition, addressed to the client, may contain properly a certified balance sheet, but if a statement of income and surplus is included in the report, it should be qualified as having been prepared from the books without audit of the transactions for the period.

Section V. Audits of Specific Accounts:

This class of service may cover any particular account, or accounts, of which the following are examples:

(a) Cash
(b) Securities
(c) Payroll
(d) Manufacturing cost

An audit report on an account, or accounts, falling in this group, may take the form of a statement of the account or accounts audited, together with comments in which a certificate may be incorporated, or the certificate may be appended to the statement, provided that any essential qualifications are made a part thereof.

Section VI. Other Services:

This section should not be considered as definitive or restrictive, but as containing general information only of various activities which are considered to fall within the field of the public accountant.

Miscellaneous activities in the nature of research, verification or constructive work should be designated in each case with an accurate description of the work undertaken.

(1) Investigations of Specific Matters:

Such investigations comprehend examinations of one or more specific features of a business and are undertaken usually in connection with such matters as suspected fraud, disputes regarding payments of royalties, etc., reasons for increases or decreases of profits, financial policies, determination of possible civil liability, measurement of contract obligations, insolvency, bankruptcy, measurement of rate-making factors of utilities and carriers, and other financial or administrative matters.

In each case the accountant's instructions from his client should be specific as to the object of the investigation.

The scope of each investigation is determined by its objects and the extent to which the accountant considers it necessary to go in order to accomplish those objects.

The account's findings in an investigation usually are communicated to his client in the form of a detailed report.

(2) Preparation of Statements from Books or Records without Audit:

Statements prepared from the books or records without audit, should be made preferably on unwatermarked paper, bound (if at all) in a plain back, without any indication in the statements themselves or in anything attached to the statements that they were prepared by public accountants. If, on the other hand, watermarked or regular stationery is used, a footnote should be added to balance sheet or other statements showing that they have been prepared from the books of account without audit.

In cases where it is necessary to include in a report any statements which have been prepared from the books without audit, or only partial audit, such statements should be marked under the descriptive heading and at the bottom, so as clearly to indicate that they were prepared from the books without audit or with only such audit as is indicated opposite the respective items, depending on the situation.

(3) Tax Services:

Tax services may consist of:

- Preparing or reviewing tax returns:
  - (a) From records which have been audited.
  - (b) From records which have not been audited.
- Contesting assessments or prosecuting tax claims before tax officials or boards.
- Preparing and rendering opinions on tax claims.
- Acting as adviser or agent in tax matters.

(4) System Services:

System services may cover:

- (a) General accounting systems:
  - Conducting surveys.
  - Devising and installing systems of account and of record.
- (b) Cost systems:
  - Conducting surveys.
  - Devising and installing cost-finding and reporting systems.

(5) Budgetary Services:

Budgetary services may consist of investigation and survey work, formulating budget policies, designing budget procedures, and offering counsel with reference to budget policies and procedures.

(6) Opinions:

This class of service consists of preparing and rendering opinions having to do with accounting and financial matters.

(7) Miscellaneous:

This class includes services not comprehended in the foregoing classes, such as acting as liquidating trustee, as advocate in the arbitration of commercial disputes, as arbitrator in commercial disputes, as umpire in accounting controversies involving accountants, or clients, or as comptroller, auditor, or bookkeeper, giving testimony in court and arbitration cases, interpreting financial data, rendering advice in accounting matters, preparing and recording bookkeeping entries, instructing bookeepers, and checking statements, etc., etc.

Certified Public Accountant—A State Designation

Certified Public Accountant is the official name by which persons are known who have met the requirements and rigid examination tests in the state or states in which they practice as public accountants. The first law to be enacted in the United States creating the certified public accountant and defining who should be entitled to be so designated, was put upon the statute books of New York in 1896. Since then similar laws have been enacted by every other state in the Union as well as by the District of Columbia, Alaska, Hawaii and the Philipine Islands.

For the protection of the business public as well as of the C. P. A. profession, the C. P. A. law of the State of Michigan, which constitutes Act 353, Public Acts of 1925, provides that no person shall hold himself out to the public as a certified public accountant or use the designation certified public accountant or the abbreviation C. P. A., within the State, unless such person shall be the holder of the certified public accountant certificate issued by the Michigan State Board of Accountancy. Violation of this provision of the law is a misdemeanor punishable by imprisonment or fine or both imprisonment and fine for each separate offense.

For the invaluable assistance in the compilation of this Directory extended by the Officers of the various Bar Associations, Public Officials and the bar at large, the publisher feels deeply grateful, and it is hoped that in this, the first Directory of its kind ever published in Detroit, you will find a helpful aid in the conduct of your chosen profession. Deep appreciation is also felt for the many early subscriptions received. We shall endeavor to hold that confidence and good will by serving you in any possible way.

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